

EXHIBIT B

JOANNA VARGAS
VARGAS vs PENN STATE HERSHEY

July 07, 2017
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<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA</p> <p>3 JOANNA VARGAS)</p> <p>4)</p> <p>5 - vs -) No. 1:16-CV-01657YK</p> <p>6)</p> <p>7 PENN STATE HERSHEY)</p> <p>8 MILTON S. HERSHEY)</p> <p>9 MEDICAL CENTER)</p> <p>10</p> <p>11</p> <p>12 Videotaped deposition of JOANNA VARGAS, held</p> <p>13 at 1125 Walnut Street, Philadelphia, Pennsylvania,</p> <p>14 on July 7, 2017, at 10:55 a.m., before Dolores M.</p> <p>15 Horne, Professional Reporter and Notary Public, in</p> <p>16 and for the Commonwealth of Pennsylvania.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES: (Continued)</p> <p>2</p> <p>3</p> <p>4 MCQUAIDE BLASKO</p> <p>5 BY: JONATHAN B. STEPANIAN, ESQUIRE</p> <p>6 1249 Cocoa Avenue</p> <p>7 Suite 210</p> <p>8 Hershey, Pennsylvania 17033</p> <p>9 (717) 533-4444</p> <p>10 jstepanian@mqblaw.com</p> <p>11 Attorneys for the Defendant</p> <p>12</p> <p>13</p> <p>14 ALSO PRESENT:</p> <p>15 JUSTIN VARGAS</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 THE BEASLEY FIRM</p> <p>4 BY: JAMES E. BEASLEY, JR., ESQUIRE</p> <p>5 1125 Walnut Street</p> <p>6 Philadelphia, Pennsylvania 19107</p> <p>7 (215) 458-5642</p> <p>8 Attorneys for the Plaintiff</p> <p>9</p> <p>10</p> <p>11</p> <p>12 BECKMAN & MARION</p> <p>13 BY: ALISA P. MARION, ESQUIRE</p> <p>14 One Liberty Place</p> <p>15 1650 Market Street</p> <p>16 Suite 5500</p> <p>17 Philadelphia, Pennsylvania 19103</p> <p>18 (215) 569-8215</p> <p>19 amarion@beckmanlaw.com</p> <p>20 Attorneys for the Plaintiff</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 4</p> <p>1 I N D E X</p> <p>2 WITNESS EXAMINATION PAGE</p> <p>3 JOANNA VARGAS</p> <p>4</p> <p>5 By: Mr. Stepanian 7</p> <p>6</p> <p>7</p> <p>8 E X H I B I T S</p> <p>9 NO. DESCRIPTION PAGE</p> <p>10 J. Vargas 1 Notice 93</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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<p style="text-align: right;">Page 5</p> <p>1 DEPOSITION SUPPORT INDEX</p> <p>2</p> <p>3 Direction to Witness Not to Answer</p> <p>4 Page Line Page Line Page Line</p> <p>5</p> <p>6</p> <p>7</p> <p>8 Request for Production of Documents</p> <p>9 Page Line Page Line Page Line</p> <p>10</p> <p>11</p> <p>12</p> <p>13 Stipulations</p> <p>14 Page Line Page Line Page Line</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19 Question Marked</p> <p>20 Page Line Page Line Page Line</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 7</p> <p>1 BY MR. STEPANIAN:</p> <p>2 Q. Ms. Vargas, we met just a minute ago.</p> <p>3 But, again, my name is John Stepanian. I'm an</p> <p>4 attorney at the McQuaide Blasko law firm in</p> <p>5 Hershey, Pennsylvania. And we represent the</p> <p>6 Milton S. Hershey Medical Center in connection</p> <p>7 with a lawsuit that you filed against it. We're</p> <p>8 here today to conduct your deposition in</p> <p>9 connection with that lawsuit.</p> <p>10 Do you understand that?</p> <p>11 A. Yes.</p> <p>12 Q. Have you ever been deposed before?</p> <p>13 A. No.</p> <p>14 Q. Just some ground rules and to give you</p> <p>15 some sense of what is going to go on here. I'm</p> <p>16 just going to ask you questions. I'm going to ask</p> <p>17 that you answer them to the best that you can and</p> <p>18 to the best of your recollection. If I ask you a</p> <p>19 question today and you don't understand what I'm</p> <p>20 asking you, just tell me you didn't understand the</p> <p>21 question and I'll be more than happy to rephrase</p> <p>22 it. Will you do that?</p> <p>23 A. Yes.</p> <p>24 Q. Similarly, if you don't hear a question</p>
<p style="text-align: right;">Page 6</p> <p>1 THE VIDEO TECHNICIAN: We're on the</p> <p>2 record. This is DVD No. 1 in the videotaped</p> <p>3 deposition of Joanna Vargas. Today's case is</p> <p>4 Vargas versus Penn State Hershey. This is being</p> <p>5 heard before the United States District Court for</p> <p>6 the Middle District of Pennsylvania, Docket No.</p> <p>7 1:16-CV-01657-YK.</p> <p>8 This is being held at 1125 Walnut</p> <p>9 Street in Philadelphia, Pennsylvania. Today's</p> <p>10 date is Friday, July 7, 2017. The time is 10:52</p> <p>11 a.m. My name is Rick Kensinger, Jr. The court</p> <p>12 reporter is Dolores Horne. Will counsel please</p> <p>13 state your names.</p> <p>14 MR. STEPANIAN: John Stepanian on</p> <p>15 behalf of the Milton S. Hershey Medical Center.</p> <p>16 MR. BEASLEY: Jim Beasley on</p> <p>17 behalf of the plaintiffs.</p> <p>18 MS. MARION: Alisa Marion on</p> <p>19 behalf of the plaintiffs.</p> <p>20 JOANNA VARGAS, After having been</p> <p>21 first duly sworn, was examined and testified as</p> <p>22 follows:</p> <p>23 THE VIDEO TECHNICIAN: You may</p> <p>24 begin the questioning.</p>	<p style="text-align: right;">Page 8</p> <p>1 that I ask you today, just tell me you didn't hear</p> <p>2 the question, and I'll be more than happy to</p> <p>3 repeat it. Will you do that?</p> <p>4 A. Sure, yes.</p> <p>5 Q. Having agreed to do those things, ma'am,</p> <p>6 when you answer a question, I'm going to assume</p> <p>7 that you both heard it and you understood it. Is</p> <p>8 that fair?</p> <p>9 A. Yes.</p> <p>10 Q. Where do you currently reside?</p> <p>11 A. In Florida.</p> <p>12 Q. Where in Florida, your home address?</p> <p>13 A. Elkton -- okay. It's 4917 Coquina</p> <p>14 Crossing Drive.</p> <p>15 Q. How long have you lived there?</p> <p>16 A. Since January.</p> <p>17 Q. Of 2017?</p> <p>18 A. Yes.</p> <p>19 Q. What -- what city is that?</p> <p>20 A. Elkton, E L K T O N.</p> <p>21 Q. Does anybody else live there with you?</p> <p>22 A. Yes, my son.</p> <p>23 Q. Can you tell me your son's name?</p> <p>24 A. Justin Vargas.</p>

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<p style="text-align: right;">Page 9</p> <p>1 Q. Is Justin here today?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. I haven't met him yet but we will</p> <p>4 be speaking here soon. You have other sons; do</p> <p>5 you not?</p> <p>6 A. Yes.</p> <p>7 Q. Who are your other sons?</p> <p>8 A. Three, three sons, three more.</p> <p>9 Q. What -- what are their names?</p> <p>10 A. The next one is David Vargas. Then</p> <p>11 there's Adam Vargas and then there's Edward</p> <p>12 Vargas.</p> <p>13 Q. Do you have any daughters?</p> <p>14 A. No.</p> <p>15 Q. Where did you live before moving to the</p> <p>16 Coquina Drive address?</p> <p>17 A. I lived at 152 Casa Bella Lane, St.</p> <p>18 Augustine, Florida 32086.</p> <p>19 Q. You moved from there in -- in January</p> <p>20 2017?</p> <p>21 A. Correct.</p> <p>22 Q. What -- how long had you lived at that</p> <p>23 address, the Casa --</p> <p>24 A. Approximately three years.</p>	<p style="text-align: right;">Page 11</p> <p>1 A. Yes.</p> <p>2 Q. What does he pay?</p> <p>3 A. Six -- half of it, six something.</p> <p>4 Q. Okay. So, 1275 is the total rent?</p> <p>5 A. Correct, yes.</p> <p>6 Q. And you each pay half?</p> <p>7 A. Yes.</p> <p>8 Q. All right. Is that how it works, you</p> <p>9 contribute half and Justin contributes half?</p> <p>10 A. Yes.</p> <p>11 Q. Does anyone else live there with you?</p> <p>12 A. No.</p> <p>13 Q. Tell me about your education. I just</p> <p>14 want to learn a little bit about you first here.</p> <p>15 A. Regular school, high school. I went</p> <p>16 into what we call Global University, which is a</p> <p>17 ministry school, more like a college, higher</p> <p>18 education to obtain my ordination as a minister.</p> <p>19 Q. Any other schooling?</p> <p>20 A. No.</p> <p>21 Q. What was the name of the ministry</p> <p>22 school?</p> <p>23 A. Global University.</p> <p>24 Q. That was its name?</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. Why did you move from Casa Bella Lane to</p> <p>2 Coquina Drive?</p> <p>3 A. I moved because I needed to lower my</p> <p>4 rent. That's basically what it was.</p> <p>5 Q. Did you own the Casa Bella Drive home?</p> <p>6 A. No.</p> <p>7 Q. You rented it?</p> <p>8 A. (The witness indicates.)</p> <p>9 Q. You rented that with Mr. Vargas; is that</p> <p>10 right?</p> <p>11 A. Yes.</p> <p>12 Q. When I say Mr. Vargas, I'm going to</p> <p>13 refer to your husband who has passed away. Okay?</p> <p>14 A. Yes, that's fine.</p> <p>15 Q. All right. What was your rent at the</p> <p>16 Casa Bella Lane?</p> <p>17 A. Casa Bella was 1550 going up to another</p> <p>18 amount.</p> <p>19 Q. Living with your son Justin, do you pay</p> <p>20 rent?</p> <p>21 A. Yes.</p> <p>22 Q. What do you pay in rent now?</p> <p>23 A. Right now 1275.</p> <p>24 Q. Does Justin pay any rent?</p>	<p style="text-align: right;">Page 12</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Where was that located?</p> <p>3 A. That was an -- on-line.</p> <p>4 Q. Completely on-line program?</p> <p>5 A. Yes.</p> <p>6 Q. When did you complete that?</p> <p>7 A. I'm not sure.</p> <p>8 Q. Was it like more than ten years ago?</p> <p>9 A. No, no, not -- not too long ago, maybe</p> <p>10 two years. I'm not sure, though.</p> <p>11 Q. Okay. So, sometime after you completed</p> <p>12 high school?</p> <p>13 A. Yes.</p> <p>14 Q. When -- when did you complete high</p> <p>15 school, just roughly?</p> <p>16 A. '65.</p> <p>17 Q. So, you -- you worked obviously in</p> <p>18 between high school and attending Global</p> <p>19 University?</p> <p>20 A. Yes.</p> <p>21 Q. What -- what did you do for a living?</p> <p>22 A. Actually, I worked -- I opened up an</p> <p>23 insurance business.</p> <p>24 Q. What was the name of the business?</p>

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<p style="text-align: right;">Page 13</p> <p>1 A. Service Brokerage.</p> <p>2 Q. I'm sorry?</p> <p>3 A. Service Brokerage.</p> <p>4 Q. How long did you work in that position?</p> <p>5 A. I believe five or six years.</p> <p>6 I'm not exactly, though.</p> <p>7 Q. When did you open the business?</p> <p>8 A. Just a second. I'm not sure when we</p> <p>9 opened the business. It was several years ago.</p> <p>10 Q. Okay. Why don't we approach it this</p> <p>11 way. Did you and your husband at some point moved</p> <p>12 to Florida, correct?</p> <p>13 A. Yes.</p> <p>14 Q. Because I've seen that he was a New York</p> <p>15 police officer?</p> <p>16 A. Yes.</p> <p>17 Q. So, were you living in the New York</p> <p>18 area?</p> <p>19 A. Yes.</p> <p>20 Q. And at some point then you moved down to</p> <p>21 Florida. When -- when was that?</p> <p>22 A. That was in '88.</p> <p>23 Q. He retired at that point?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 15</p> <p>1 as a minister after you obtained that?</p> <p>2 A. In -- well, my husband was an associate</p> <p>3 pastor shortly after we retired.</p> <p>4 Q. So, it was something that he was -- he</p> <p>5 was doing for some time?</p> <p>6 A. Yes.</p> <p>7 Q. And then you became ordained yourself?</p> <p>8 A. Yes.</p> <p>9 Q. Did he -- was -- where was your husband</p> <p>10 working as an associate pastor?</p> <p>11 A. He was working at what it was known as</p> <p>12 Brooksville Assembly of God.</p> <p>13 Q. That's in St. Augustine?</p> <p>14 A. That's in Brooksville, Florida.</p> <p>15 Q. He was an associate pastor there?</p> <p>16 A. Yes.</p> <p>17 Q. Is that where he was working as pastor</p> <p>18 at the time he passed away?</p> <p>19 A. No.</p> <p>20 Q. Where was he working as a pastor?</p> <p>21 A. In St. Augustine, Florida.</p> <p>22 Q. What was the church that he was working</p> <p>23 at there?</p> <p>24 A. It was -- the name of it was Greater</p>
<p style="text-align: right;">Page 14</p> <p>1 Q. From being a police officer?</p> <p>2 A. Yes.</p> <p>3 Q. Did you retire at that time?</p> <p>4 A. Yes.</p> <p>5 Q. What did you -- what was your job when</p> <p>6 you retired?</p> <p>7 A. I worked in a hospital, South Side</p> <p>8 Hospital.</p> <p>9 Q. What did you do in the hospital?</p> <p>10 A. I was part-time in the cafeteria,</p> <p>11 kitchen, food service.</p> <p>12 Q. And when you moved down to Florida in</p> <p>13 1988, you and your husband, did you -- this is</p> <p>14 your retirement now; is that right?</p> <p>15 A. Correct.</p> <p>16 Q. Did you have any jobs, like part-time</p> <p>17 jobs or anything or were you just enjoying retired</p> <p>18 life?</p> <p>19 A. Yes, enjoying retired life.</p> <p>20 Q. And then you at some point attended</p> <p>21 Global University and became an ordained</p> <p>22 minister?</p> <p>23 A. Yes.</p> <p>24 Q. Is it -- is it -- where were you acting</p>	<p style="text-align: right;">Page 16</p> <p>1 Love Ministries.</p> <p>2 Q. When did Mr. Vargas become ordained?</p> <p>3 A. Early nineties.</p> <p>4 Q. Did he then immediately become an</p> <p>5 associate pastor at Brooksville Assembly of God?</p> <p>6 A. Yes.</p> <p>7 Q. And did he continue to be a pastor there</p> <p>8 until going to Greater Love Ministries?</p> <p>9 A. Yes.</p> <p>10 Q. When did he go to Greater Love</p> <p>11 Ministries?</p> <p>12 A. In '96.</p> <p>13 Q. Was that -- was that a church that he</p> <p>14 opened?</p> <p>15 A. Yes.</p> <p>16 Q. After you became ordained, did you also</p> <p>17 work at that church?</p> <p>18 A. I was ordained when he passed away.</p> <p>19 Q. Did the church no longer function after</p> <p>20 he passed away?</p> <p>21 A. No. It did function.</p> <p>22 Q. Okay. It continued. So, do you -- do</p> <p>23 you work for that group?</p> <p>24 A. Yes. I took -- I was asked to take his</p>

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<p style="text-align: right;">Page 17</p> <p>1 place.</p> <p>2 Q. Your son, Justin, is a minister as well;</p> <p>3 is that correct --</p> <p>4 A. Yes, correct.</p> <p>5 Q. -- at Greater Love Ministries?</p> <p>6 A. Yes.</p> <p>7 Q. When Mr. Vargas passed away, he was a</p> <p>8 pastor at Greater Love Ministries, right?</p> <p>9 A. Yes.</p> <p>10 Q. Was he paid in that position?</p> <p>11 A. Yes.</p> <p>12 Q. How much was he paid?</p> <p>13 A. We were both paid. I believe it was</p> <p>14 \$750 per week.</p> <p>15 Q. Did you get a W-2?</p> <p>16 A. Yes.</p> <p>17 Q. You said you were both paid. What was</p> <p>18 your position at the church?</p> <p>19 A. Assistant co-pastor, what we would call</p> <p>20 a co-pastor.</p> <p>21 Q. So explain that to me because I thought</p> <p>22 you said that you weren't ordained until after he</p> <p>23 passed away?</p> <p>24 A. Right, immediately after.</p>	<p style="text-align: right;">Page 19</p> <p>1 A. There was one unpaid administrative</p> <p>2 pastor.</p> <p>3 Q. So, Justin was not working there at that</p> <p>4 time --</p> <p>5 A. No, sir.</p> <p>6 Q. -- at that point?</p> <p>7 Was -- was that like a 40-hour job,</p> <p>8 40-hour a week job for Mr. Vargas?</p> <p>9 A. More than that.</p> <p>10 Q. More than that?</p> <p>11 A. Sure.</p> <p>12 Q. How about for you, what -- what did it</p> <p>13 work out to in terms of the amount of hours you</p> <p>14 would have to work as a pastor?</p> <p>15 A. There's no definite hours to say to that</p> <p>16 position.</p> <p>17 Q. It's just whatever it took?</p> <p>18 A. Whatever it took.</p> <p>19 Q. I want to talk about Mr. Vargas' medical</p> <p>20 history leading up to December 2014. What was</p> <p>21 your husband's overall health? How -- how would</p> <p>22 you describe his overall health leading up to that</p> <p>23 point?</p> <p>24 A. Good.</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. So, while your husband was the pastor</p> <p>2 there and obviously was alive --</p> <p>3 A. Okay. I was holding credentials, what</p> <p>4 they call credentials, which is before an</p> <p>5 ordination.</p> <p>6 Q. I understand. Okay. Forgive me --</p> <p>7 A. That's fine.</p> <p>8 Q. What did Mr. Vargas' duties involve as a</p> <p>9 pastor at the church?</p> <p>10 A. There's a list, baptisms, visitations,</p> <p>11 hospital, funerals, ceremony preparation,</p> <p>12 availability 24/7, teaching classes.</p> <p>13 Q. In addition to you assisting him having</p> <p>14 credentials, as you said, were there other pastors</p> <p>15 or assistants there at the church in the time</p> <p>16 period immediately before Mr. Vargas had passed</p> <p>17 away?</p> <p>18 A. Can you repeat that question?</p> <p>19 Q. Yes. I'm trying to take the time period</p> <p>20 around when Mr. Vargas passed away but before,</p> <p>21 certainly, he passed. You and he are working</p> <p>22 there at the church. Were there any other pastors</p> <p>23 or assistants who had credentials such as</p> <p>24 yourself?</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. There -- there were some references in</p> <p>2 the records that he had had at least one prior</p> <p>3 episode of gastrointestinal bleeding?</p> <p>4 A. Yes.</p> <p>5 Q. Tell me about that, when that had</p> <p>6 happened?</p> <p>7 A. That was in 2008.</p> <p>8 Q. What happened?</p> <p>9 A. He woke up and found -- used the -- used</p> <p>10 the bathroom and found blood in the bowl, so we</p> <p>11 went to the emergency room.</p> <p>12 Q. Which emergency room?</p> <p>13 A. St. Augustine Flagler Hospital.</p> <p>14 Q. Mr. Vargas at one point had his</p> <p>15 gallbladder removed at that hospital?</p> <p>16 A. Yes.</p> <p>17 Q. So, this is the same hospital --</p> <p>18 A. Yes.</p> <p>19 Q. -- that he went to in 2008 because of</p> <p>20 his -- this episode of having blood in the</p> <p>21 toilet?</p> <p>22 A. Yes.</p> <p>23 Q. How much blood was there at that point</p> <p>24 in 2008 in the toilet? Was it a fair amount? Was</p>

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<p style="text-align: right;">Page 21</p> <p>1 it a little, a lot? How would you characterize</p> <p>2 it?</p> <p>3 A. A lot, I would say very much blood.</p> <p>4 Q. What was Mr. Vargas' condition when he</p> <p>5 found the blood in the toilet at that time? Was</p> <p>6 he, for example, light headed? Was he weak?</p> <p>7 A. Weak.</p> <p>8 Q. What happened after you went to the ER</p> <p>9 in terms of evaluation of the cause of his</p> <p>10 bleeding?</p> <p>11 A. He was -- it was determined that he had</p> <p>12 diverticulitis or losis. I'm not sure which one</p> <p>13 is the bleeder.</p> <p>14 Q. What did you understand that to mean?</p> <p>15 A. It meant that he had pockets in the</p> <p>16 colon that were bleeding.</p> <p>17 Q. Was he admitted to the hospital in</p> <p>18 2008?</p> <p>19 A. Yes.</p> <p>20 Q. Did he receive treatment for the</p> <p>21 bleeding from his colon?</p> <p>22 A. Yes.</p> <p>23 Q. What was the treatment?</p> <p>24 A. They -- first they had to determine</p>	<p style="text-align: right;">Page 23</p> <p>1 Q. After 2008 and going through December</p> <p>2 2014, did Mr. Vargas have any other episodes of</p> <p>3 bleeding?</p> <p>4 A. None, no.</p> <p>5 Q. Did you -- how long was he admitted at</p> <p>6 Flagler Hospital in 2008?</p> <p>7 A. I don't remember.</p> <p>8 Q. Were you there periodically throughout</p> <p>9 the hospitalization at that time?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Yes?</p> <p>12 A. Yes.</p> <p>13 Q. Were you there when Mr. Vargas was</p> <p>14 discharged from the hospital?</p> <p>15 A. Yes.</p> <p>16 Q. Do you remember being told at that point</p> <p>17 in 2008 that because Mr. Vargas had this</p> <p>18 diverticular disease that resulted in bleeding at</p> <p>19 that point that he may develop other bleeding</p> <p>20 episodes?</p> <p>21 A. Not to my recollection.</p> <p>22 Q. Do you -- did you have any understanding</p> <p>23 before December 2014 that because your husband had</p> <p>24 diverticular disease that he was at risk of having</p>
<p style="text-align: right;">Page 22</p> <p>1 where the blood was coming from. So that was part</p> <p>2 of what was going on there. And the treatment was</p> <p>3 to cauterize the open bleeding areas, wherever</p> <p>4 that was, and put him on a diet.</p> <p>5 Q. So, he had a colonoscopy?</p> <p>6 A. Correct.</p> <p>7 Q. And in connection with that colonoscopy</p> <p>8 there was cauterization of the bleeding area in</p> <p>9 his colon?</p> <p>10 A. Yes.</p> <p>11 Q. Do you know who the physician was who</p> <p>12 had performed that colonoscopy?</p> <p>13 A. No.</p> <p>14 Q. Did Mr. Vargas have any followup with</p> <p>15 that physician after getting this treatment at</p> <p>16 Flagler --</p> <p>17 A. Yes.</p> <p>18 Q. -- Flagler Hospital in 2008?</p> <p>19 A. He began to see a GI specialist.</p> <p>20 Q. Who was that?</p> <p>21 A. That -- that was Dr. Rosato from GI</p> <p>22 Associates.</p> <p>23 Q. Is that in St. Augustine?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 24</p> <p>1 bleeding from his colon?</p> <p>2 A. Depending on the diet.</p> <p>3 Q. So, you understood that because</p> <p>4 Mr. Vargas had diverticular disease before 2014 he</p> <p>5 was at risk of potential bleeding?</p> <p>6 A. Can you repeat that?</p> <p>7 Q. You -- you were aware before December</p> <p>8 2014 that because your husband had diverticular</p> <p>9 disease he was at risk of having episodes of</p> <p>10 bleeding?</p> <p>11 A. I wasn't really aware of that.</p> <p>12 Q. Well, when you told me earlier that you</p> <p>13 were aware that he may have episodes of bleeding</p> <p>14 depending on diet, what did you mean by that?</p> <p>15 A. I meant if he continued to -- not -- or</p> <p>16 continued to eat improperly things that he should</p> <p>17 not have. He was given a specific list of things</p> <p>18 not to have. And then he would -- if he refrained</p> <p>19 from that, he would be fine.</p> <p>20 Q. Okay. So that if he complied with these</p> <p>21 dietary recommendations that were given to you --</p> <p>22 A. Yes.</p> <p>23 Q. -- your understanding was that he would</p> <p>24 not be at risk for bleeding again as a result of</p>

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<p style="text-align: right;">Page 25</p> <p>1 this diverticular disease?</p> <p>2 A. Yes.</p> <p>3 Q. What were the dietary recommendations?</p> <p>4 A. No seeds, no corn, no peanuts, things of</p> <p>5 that nature.</p> <p>6 Q. Did Mr. Vargas comply with those dietary</p> <p>7 recommendations?</p> <p>8 A. As far as I know, yes. When I wasn't</p> <p>9 looking I don't know. Okay.</p> <p>10 Q. Was he the kind of person who would</p> <p>11 comply with the physician's instructions?</p> <p>12 A. Yes, definitely.</p> <p>13 Q. Was -- was he complying with the</p> <p>14 physician's dietary instructions so far as you</p> <p>15 knew --</p> <p>16 A. Yes.</p> <p>17 Q. -- immediately before coming to Hershey</p> <p>18 Medical Center in December 2014?</p> <p>19 A. Yes.</p> <p>20 Q. I -- I've seen reference in a record</p> <p>21 that suggested that Mr. Vargas when he had this</p> <p>22 bleeding episode in 2008 may have nearly bled out</p> <p>23 at that time. Do -- do you have any understanding</p> <p>24 what that means?</p>	<p style="text-align: right;">Page 27</p> <p>1 A. No, no.</p> <p>2 Q. In other words, were you aware of</p> <p>3 whether there was a risk that he could develop a</p> <p>4 hole in his bowel called a perforation?</p> <p>5 A. No, no.</p> <p>6 Q. Did you go with your husband to his</p> <p>7 gastroenterology appointments?</p> <p>8 A. Yes.</p> <p>9 Q. Did you go to all of them?</p> <p>10 A. I'm not sure.</p> <p>11 Q. How often did he followup with</p> <p>12 Dr. Rosato?</p> <p>13 A. I'm not sure.</p> <p>14 Q. He started seeing Dr. Rosato in 2008?</p> <p>15 A. Yes.</p> <p>16 Q. After the --</p> <p>17 A. Yes.</p> <p>18 Q. -- bleeding episode that he had?</p> <p>19 A. Yes, uh-huh.</p> <p>20 Q. In December 2014 obviously you were in</p> <p>21 the Hershey area?</p> <p>22 A. Yes.</p> <p>23 Q. This is when Mr. Vargas unfortunately</p> <p>24 came to Hershey Medical Center?</p>
<p style="text-align: right;">Page 26</p> <p>1 A. No.</p> <p>2 Q. Did you have an understanding that when</p> <p>3 Mr. Vargas had his bleeding episode in 2008 that</p> <p>4 he lost a large amount of blood?</p> <p>5 A. Yes.</p> <p>6 Q. Do -- do you recall if he had to have a</p> <p>7 blood transfusion?</p> <p>8 A. Yes.</p> <p>9 Q. Do you know how many blood transfusions</p> <p>10 he had to have after that bleeding episode?</p> <p>11 A. None, none, no, he had none. After</p> <p>12 that -- after that initial?</p> <p>13 Q. He got one blood transfusion and then no</p> <p>14 additional transfusions?</p> <p>15 A. Yes.</p> <p>16 Q. Aside from recurrent bleeding if</p> <p>17 Mr. Vargas wasn't compliant with the dietary</p> <p>18 recommendations, were you aware of what other</p> <p>19 risks were presented to him because of having this</p> <p>20 diverticular disease?</p> <p>21 A. Repeat that, please.</p> <p>22 Q. Were you aware whether there were other</p> <p>23 risks aside from recurrent bleeding because of Mr.</p> <p>24 Vargas' diverticular disease?</p>	<p style="text-align: right;">Page 28</p> <p>1 A. Yes.</p> <p>2 Q. Where were -- where were you</p> <p>3 specifically staying, you and he at that point?</p> <p>4 A. We were staying with a friend of the</p> <p>5 family.</p> <p>6 Q. Who was that?</p> <p>7 A. That was Dr. J. I'm not sure -- she has</p> <p>8 more -- more of a name than that but that's all I</p> <p>9 remember is Dr. J.</p> <p>10 Q. Was Dr. J a medical doctor?</p> <p>11 A. Yes, psychiatrist.</p> <p>12 Q. Was she a friend of your husband's?</p> <p>13 A. No.</p> <p>14 Q. How -- how did you come to stay at her</p> <p>15 place?</p> <p>16 A. Our grandson lived in Hershey and he</p> <p>17 knew her and she offered to put us up for our</p> <p>18 stay.</p> <p>19 Q. Who -- who was this grandson?</p> <p>20 A. This is Justin Phillip Vargas.</p> <p>21 Q. This is going to get really confusing.</p> <p>22 A. Yes. I'll try and help.</p> <p>23 Q. Your grandson --</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 29</p> <p>1 Q. -- Justin --</p> <p>2 A. Correct.</p> <p>3 Q. Did he live in Hershey?</p> <p>4 A. Yes.</p> <p>5 Q. Does he still live in Hershey?</p> <p>6 A. Yes.</p> <p>7 Q. Where does he live?</p> <p>8 A. It's not exactly Hershey. It's another</p> <p>9 name. It's --</p> <p>10 Q. Somewhere around Hershey?</p> <p>11 A. Yes.</p> <p>12 Q. Was it just you and your husband staying</p> <p>13 at -- at Dr. J's?</p> <p>14 A. Yes.</p> <p>15 Q. Was Dr. J there?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall the address?</p> <p>18 A. No.</p> <p>19 Q. If I wanted to find out who Dr. J really</p> <p>20 was or is, how would I find that out?</p> <p>21 A. I would -- I would get her exact</p> <p>22 information for you.</p> <p>23 Q. From your grandson Justin?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 31</p> <p>1 Thanksgiving?</p> <p>2 A. Yes.</p> <p>3 Q. And -- and the plan was then that you</p> <p>4 would be traveling home on December 3rd?</p> <p>5 A. Yes.</p> <p>6 Q. According to the records that I've seen,</p> <p>7 about a week before coming to Hershey your husband</p> <p>8 started a medication called naproxen?</p> <p>9 A. Yes.</p> <p>10 Q. Why -- what was your understanding as to</p> <p>11 why he had started that medication?</p> <p>12 A. He had pain in his hip.</p> <p>13 Q. Was this a prescription medicine or</p> <p>14 over-the-counter?</p> <p>15 A. Prescription.</p> <p>16 Q. Who had prescribed it to him?</p> <p>17 A. Dr. Northrop.</p> <p>18 Q. What kind of doctor was he?</p> <p>19 A. I believe he's a sports medicine</p> <p>20 doctor.</p> <p>21 Q. When did your husband first start taking</p> <p>22 that medication, naproxen?</p> <p>23 A. I'm really not sure.</p> <p>24 Q. Is it consistent with your memory that</p>
<p style="text-align: right;">Page 30</p> <p>1 Q. What had brought you and your husband to</p> <p>2 the Hershey area in December 2014?</p> <p>3 A. Our first great granddaughter was being</p> <p>4 dedicated or baptized at a church.</p> <p>5 Q. Was this Justin Phillip's daughter?</p> <p>6 A. Yes.</p> <p>7 Q. How long were you in the Hershey area?</p> <p>8 A. I'm not exactly sure, maybe seven, eight</p> <p>9 days.</p> <p>10 Q. Was that the reason you and your husband</p> <p>11 had traveled to the area was for her -- her</p> <p>12 baptism?</p> <p>13 A. Yes.</p> <p>14 Q. I guess I'll call her -- it her baptism.</p> <p>15 A. Okay. I choose dedication.</p> <p>16 Q. Dedication?</p> <p>17 A. Yes, that's the correct word.</p> <p>18 Q. All right. Let's see. Mr. Vargas came</p> <p>19 to the Hershey Medical Center emergency room on</p> <p>20 December 2, 2014. So this -- this would have been</p> <p>21 not -- not long after Thanksgiving. Were -- were</p> <p>22 you in the Hershey area for Thanksgiving?</p> <p>23 A. No.</p> <p>24 Q. All right. So, you came up after</p>	<p style="text-align: right;">Page 32</p> <p>1 it was a week before he came to Hershey Medical</p> <p>2 Center?</p> <p>3 A. Possibly. It wasn't too long.</p> <p>4 Q. So, around the end of November he</p> <p>5 started that medication?</p> <p>6 A. Yes.</p> <p>7 Q. I presume he started taking that</p> <p>8 medication before the two of you traveled up to</p> <p>9 the Hershey area --</p> <p>10 A. Yes.</p> <p>11 Q. -- for the dedication?</p> <p>12 A. Yes.</p> <p>13 Q. Did you understand how often he was</p> <p>14 taking that medication?</p> <p>15 A. No.</p> <p>16 Q. Did you have any understanding that that</p> <p>17 particular medication, naproxen, could cause</p> <p>18 stomach ulcers?</p> <p>19 A. No.</p> <p>20 Q. Do you -- do you know whether your</p> <p>21 husband had any understanding about that?</p> <p>22 A. I don't think he did, no.</p> <p>23 Q. Were you -- did you go with your husband</p> <p>24 to the appointment with Dr. Northrop?</p>

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<p style="text-align: right;">Page 33</p> <p>1 A. Yes.</p> <p>2 Q. Do you remember Dr. Northrop ever</p> <p>3 talking about the potential that this kind of</p> <p>4 medication could cause any kind of stomach</p> <p>5 problems?</p> <p>6 A. No.</p> <p>7 Q. Before Mr. Vargas started taking the</p> <p>8 naproxen prescribed by Dr. Northrop, had he been</p> <p>9 taking any other pain relievers?</p> <p>10 A. Yes.</p> <p>11 Q. What was he taking?</p> <p>12 A. Exactly I don't know.</p> <p>13 Q. Do you know if it was prescription or</p> <p>14 over-the-counter?</p> <p>15 A. Over-the-counter.</p> <p>16 Q. So, I kind of have like a picture in my</p> <p>17 mind that your husband had some hip pain, he</p> <p>18 started taking over-the-counter medication that he</p> <p>19 could buy himself. He was still having the pain</p> <p>20 and so Dr. Northrop gave him a prescription for</p> <p>21 something stronger?</p> <p>22 A. Yes.</p> <p>23 Q. Do you know, was your husband ever</p> <p>24 diagnosed with stomach ulcers --</p>	<p style="text-align: right;">Page 35</p> <p>1 Q. The toilet was?</p> <p>2 A. Yes.</p> <p>3 Q. What -- tell me what you remember about</p> <p>4 what the blood looked like?</p> <p>5 A. It was -- it was a lot of it, almost</p> <p>6 filled the bowl and it was bright red.</p> <p>7 Q. Did you then immediately take your</p> <p>8 husband to the hospital?</p> <p>9 A. I called -- I -- we were going to take</p> <p>10 him. He said to call his son and his grandson.</p> <p>11 That's -- he sat on the bed and said call the</p> <p>12 boys. I called the boys because I thought we</p> <p>13 would just run him to the hospital. However, we</p> <p>14 realized that we needed professional help and an</p> <p>15 ambulance immediately because there was a</p> <p>16 staircase that we probably would not be able to --</p> <p>17 to navigate with him and so we called</p> <p>18 immediately.</p> <p>19 Q. Do you know if Mr. Vargas had had an</p> <p>20 earlier -- earlier episode of bleeding that night?</p> <p>21 In other words, did he get up earlier in the</p> <p>22 night, go and use the bathroom and have some blood</p> <p>23 but just come back to bed?</p> <p>24 A. No, I don't know.</p>
<p style="text-align: right;">Page 34</p> <p>1 A. No.</p> <p>2 Q. -- or gastric ulcers?</p> <p>3 A. No.</p> <p>4 Q. So, on December 2nd, according to the</p> <p>5 records, that's the day Mr. Vargas came to the</p> <p>6 Hershey Medical Center emergency room?</p> <p>7 A. Yes.</p> <p>8 Q. Tell me what happened?</p> <p>9 A. From what point?</p> <p>10 Q. Why -- why did he come to the emergency</p> <p>11 room?</p> <p>12 A. He had woken up in the middle of the</p> <p>13 night and gone to use the bathroom and found that</p> <p>14 he was bleeding.</p> <p>15 Q. The two of you were at Dr. J's home?</p> <p>16 A. Yes.</p> <p>17 Q. How -- how -- were you sleeping when</p> <p>18 this happened?</p> <p>19 A. Yes.</p> <p>20 Q. So how -- how did you get woken up?</p> <p>21 What happened?</p> <p>22 A. He woke me up. He came back and he said</p> <p>23 I'm bleeding in -- in the bathroom. So I went in</p> <p>24 and looked and it was full of his blood.</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. He never told you that that happened?</p> <p>2 A. No.</p> <p>3 Q. When he woke you up and you had gone in</p> <p>4 to see this toilet was full of blood, was Mr.</p> <p>5 Vargas having any other symptoms? For example,</p> <p>6 did he seem weak? Did he seem lightheaded?</p> <p>7 A. Yes, to both.</p> <p>8 Q. Any -- any other symptoms?</p> <p>9 A. No.</p> <p>10 Q. Was he having any pain in his stomach or</p> <p>11 abdomen?</p> <p>12 A. Not that he said.</p> <p>13 Q. Was he having difficulty walking?</p> <p>14 A. Yes.</p> <p>15 Q. Is that what led you to be concerned</p> <p>16 about the stairs?</p> <p>17 A. Yes.</p> <p>18 Q. Your -- your husband was a bigger man;</p> <p>19 is that fair to say?</p> <p>20 A. Yes.</p> <p>21 Q. Do you know about how much he weighed at</p> <p>22 that time?</p> <p>23 A. No.</p> <p>24 Q. Did -- did your husband appear pale when</p>

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<p style="text-align: right;">Page 37</p> <p>1 he woke you up?</p> <p>2 A. It was dark, so I didn't -- I didn't see</p> <p>3 pale.</p> <p>4 Q. Did you -- did he appear pale at any</p> <p>5 point?</p> <p>6 A. When we got him into the light, yes,</p> <p>7 when we got him out into the hospital, yes.</p> <p>8 Q. Did you wake Dr. J up?</p> <p>9 A. Yes.</p> <p>10 Q. And you said that you called your</p> <p>11 boys?</p> <p>12 A. Yes.</p> <p>13 Q. Who did you call?</p> <p>14 A. Justin Phillip and my son Justin. They</p> <p>15 were -- Justin was staying with Phillip, Justin</p> <p>16 Phillip.</p> <p>17 Q. Is that -- is Justin Phillip Justin's</p> <p>18 son?</p> <p>19 A. Yes.</p> <p>20 Q. We're going to have to do like a family</p> <p>21 tree here. I'm getting the picture, though. So,</p> <p>22 did Justin Phillip and Justin then come to Dr. J's</p> <p>23 home?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 39</p> <p>1 Q. The ambulance came?</p> <p>2 A. Yes.</p> <p>3 Q. Took him to the hospital?</p> <p>4 A. Yes.</p> <p>5 Q. And did -- did you ride in the ambulance</p> <p>6 with him?</p> <p>7 A. No.</p> <p>8 Q. But you went to the hospital?</p> <p>9 A. Yes.</p> <p>10 Q. How did you get to the hospital?</p> <p>11 A. In Justin Phillip's car.</p> <p>12 Q. Tell me what happened after you arrived</p> <p>13 at the hospital? And just before you do that,</p> <p>14 what time of day is this now?</p> <p>15 A. In the middle of the night. I have no</p> <p>16 idea.</p> <p>17 Q. Early, very early morning hours?</p> <p>18 A. Yes.</p> <p>19 Q. Tell me what happened after you arrived</p> <p>20 at the hospital?</p> <p>21 A. We immediately found him in -- he was</p> <p>22 taken into ER, into the ER. And immediately</p> <p>23 they -- they had the machine on him to check his</p> <p>24 blood pressure and it was extremely low. There</p>
<p style="text-align: right;">Page 38</p> <p>1 Q. And what happened after they came?</p> <p>2 A. They came to see him upstairs.</p> <p>3 Q. What was the purpose for them coming to</p> <p>4 the home?</p> <p>5 A. We were going -- they were going to</p> <p>6 drive him to the hospital.</p> <p>7 Q. Did -- did you have a car?</p> <p>8 A. No.</p> <p>9 Q. So, did you call them because basically</p> <p>10 you needed a ride to the hospital?</p> <p>11 A. Yes.</p> <p>12 Q. Was there a reason that Dr. J couldn't</p> <p>13 have taken you to the hospital?</p> <p>14 A. She was sound asleep.</p> <p>15 Q. You didn't want to inconvenience her,</p> <p>16 you're staying in her home, is that --</p> <p>17 A. Well, it just made sense to call his</p> <p>18 sons because he -- he needed help right away.</p> <p>19 Q. So, after -- after they arrived at the</p> <p>20 home, a decision was made to instead call an</p> <p>21 ambulance?</p> <p>22 A. Yes.</p> <p>23 Q. Who called for the ambulance?</p> <p>24 A. I don't know.</p>	<p style="text-align: right;">Page 40</p> <p>1 was an ER doctor there and there was someone</p> <p>2 trying to put the machines on him and put an IV,</p> <p>3 get him ready for an IV.</p> <p>4 Q. What did you understand the plan was?</p> <p>5 A. To get his blood pressure out of a</p> <p>6 dangerous area that was happening right there.</p> <p>7 Q. Were you given an explanation at that</p> <p>8 point as to why he had had this bleeding?</p> <p>9 A. No.</p> <p>10 Q. So, initially the response was that they</p> <p>11 needed to get his blood pressure up?</p> <p>12 A. Yes.</p> <p>13 Q. Do you have any understanding as to</p> <p>14 whether your husband ever received a blood</p> <p>15 transfusion at Hershey?</p> <p>16 A. Can you repeat that? Do I have --</p> <p>17 Q. Did you -- did you ever learn whether</p> <p>18 your husband received a blood transfusion at</p> <p>19 Hershey?</p> <p>20 A. No.</p> <p>21 Q. You never learned that or you just don't</p> <p>22 remember?</p> <p>23 A. He never received a blood transfusion.</p> <p>24 Q. Is it fair to say that they were -- the</p>

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<p style="text-align: right;">Page 41</p> <p>1 hospital staff were initially stabilizing your</p> <p>2 husband's condition?</p> <p>3 A. The blood pressure.</p> <p>4 Q. Yes?</p> <p>5 A. Yes.</p> <p>6 Q. Was your husband on any blood pressure</p> <p>7 medication at that point?</p> <p>8 A. I'm not sure.</p> <p>9 Q. Did there come a point when they got his</p> <p>10 blood pressure stabilized?</p> <p>11 A. Yes, thank God.</p> <p>12 Q. Did you understand that there was then</p> <p>13 an investigation as to why he was having this</p> <p>14 bleeding?</p> <p>15 A. Yes.</p> <p>16 Q. Tell me what you learned about that?</p> <p>17 A. The -- it was determined that they were</p> <p>18 going to find where the bleeding was coming</p> <p>19 from.</p> <p>20 Q. You understood -- what did you</p> <p>21 understand as to how they were going to do that?</p> <p>22 A. They were going to do that by going and</p> <p>23 giving him a colonoscopy and an endoscopy.</p> <p>24 Q. Was your husband in agreement with that</p>	<p style="text-align: right;">Page 43</p> <p>1 evening I was taken to Dr. J's home.</p> <p>2 Q. So, he got there in the very early</p> <p>3 morning hours on December 2nd. You were there</p> <p>4 shortly after he arrived, right?</p> <p>5 A. Immediately after.</p> <p>6 Q. And then you stayed that entire day</p> <p>7 until the evening of December 2nd?</p> <p>8 A. Correct, yes.</p> <p>9 Q. And you were taken back to Dr. J's. Who</p> <p>10 took you back to her home?</p> <p>11 A. I don't remember.</p> <p>12 Q. Were Justin and Justin Phillip also</p> <p>13 present for that entire time?</p> <p>14 A. No.</p> <p>15 Q. Had they left earlier?</p> <p>16 A. Yes.</p> <p>17 Q. About what time did they leave?</p> <p>18 A. I don't know.</p> <p>19 Q. So, you understood at some point that</p> <p>20 they were going to take your husband for the --</p> <p>21 for an endoscopy and colonoscopy to find out the</p> <p>22 source of his bleeding?</p> <p>23 A. After the preparation was administered</p> <p>24 to him --</p>
<p style="text-align: right;">Page 42</p> <p>1 plan?</p> <p>2 A. Yes.</p> <p>3 Q. The two of you had a flight to catch the</p> <p>4 next day, right, December 3rd?</p> <p>5 A. Yes.</p> <p>6 Q. What was your husband's view in terms of</p> <p>7 investigating the source of the bleeding? Was he,</p> <p>8 to your understanding, agreeable to staying in the</p> <p>9 hospital however long it took to investigate the</p> <p>10 bleeding or did he have any concern about the two</p> <p>11 of you being able to make that flight on December</p> <p>12 3rd?</p> <p>13 A. He had -- he -- he didn't really care</p> <p>14 about making a plane.</p> <p>15 Q. After you arrived at Hershey Medical</p> <p>16 Center shortly after your husband was -- was taken</p> <p>17 there, did you stay continuously in the hospital</p> <p>18 until he was discharged?</p> <p>19 A. No.</p> <p>20 Q. At some point you left the hospital?</p> <p>21 A. Yes.</p> <p>22 Q. When did you leave?</p> <p>23 A. I remember being there all night with</p> <p>24 him, all day. And some time in -- the following</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. He had to --</p> <p>2 A. -- yes.</p> <p>3 Q. -- drink something?</p> <p>4 A. Yes.</p> <p>5 Q. Do you remember any discussion, any</p> <p>6 specific discussion with doctors that day before</p> <p>7 the endoscopy and colonoscopy were performed?</p> <p>8 A. Yes.</p> <p>9 Q. What do you remember?</p> <p>10 A. We were taken from the ER into another</p> <p>11 area, a very small room. And I remember there</p> <p>12 were three doctors just outside the doorway that</p> <p>13 were looking over his chart and determining to do</p> <p>14 an endoscopy and -- and a colonoscopy. And that's</p> <p>15 what they told me they were going to do.</p> <p>16 Q. Do you remember any other discussions</p> <p>17 with those physicians?</p> <p>18 A. No.</p> <p>19 Q. Do you recall the names of any of those</p> <p>20 physicians?</p> <p>21 A. No.</p> <p>22 Q. Did you ever see any of those physicians</p> <p>23 again?</p> <p>24 A. No.</p>

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<p style="text-align: right;">Page 45</p> <p>1 Q. At some point your husband was then 2 taken for the endoscopy and colonoscopy? 3 A. Yes. 4 Q. And obviously you weren't -- you weren't 5 present; were you, for those procedures when they 6 were performed? 7 A. No. 8 Q. Do you know if you had left the hospital 9 by that point? 10 A. No. 11 Q. You were still there? 12 A. Yes. 13 Q. And were you still in the hospital after 14 those procedures had been completed? 15 A. Yes. 16 Q. Did somebody tell you what they found? 17 A. Yes. 18 Q. What did they tell you? 19 A. They told me that it was his stomach and 20 showed me a picture. 21 Q. Who was it that told you that and showed 22 you a picture? 23 A. I don't know. It was a woman. A female 24 came out to talk to me. I don't know who it</p>	<p style="text-align: right;">Page 47</p> <p>1 stomach ulcers? 2 A. No. 3 Q. That's what they told you, right, that 4 the bleeding was from -- 5 A. Yes. 6 Q. -- stomach ulcers? 7 A. Yes. 8 Q. You said you didn't -- you didn't have 9 any questions for that person? 10 A. Only where was he and if I -- can I go 11 see him. 12 Q. Of course. You wanted to get back with 13 him? 14 A. Yes. 15 Q. Did you -- did you feel that if you had 16 questions you could ask those person questions? 17 A. Yes. 18 Q. When you said that they showed you a 19 picture, was it like -- what was it a picture 20 of? 21 A. The stomach. 22 Q. Your husband's stomach? 23 A. Yes, his stomach. 24 Q. It was a picture that they had taken</p>
<p style="text-align: right;">Page 46</p> <p>1 was. 2 Q. Was it -- was it your understanding that 3 this person was a physician? 4 A. I don't know. 5 Q. You said that this female person came 6 out and told you this. Where -- where did they 7 come out from? 8 A. Wherever they did this -- this 9 procedure. I was waiting in a waiting room, so I 10 have no idea where they came from. 11 Q. So, it was immediately after the 12 endoscopy and colonoscopy had been performed? 13 A. No. 14 Q. It wasn't? 15 A. I waited a while for them to appear. 16 Q. Were you with your husband when they -- 17 A. No. 18 Q. -- came and told you? 19 A. No. I was by myself in the waiting 20 room. 21 Q. Where -- where was your husband? 22 A. I don't know where he was. 23 Q. Did -- did you have any questions for 24 this person who came out and told you it was from</p>	<p style="text-align: right;">Page 48</p> <p>1 during the performance of the procedure? 2 A. Apparently, yes. 3 Q. Did they -- did they give you this 4 picture or did they just show it to you? 5 A. They just showed it to me. 6 Q. Can you -- can you describe what you saw 7 on it? 8 A. I saw something that had little dots and 9 that's about it. That's all I could describe 10 it. 11 Q. Did you see any blood in the picture? 12 A. No. 13 Q. After that -- that conversation with 14 this person, did you have a chance to then go and 15 see your husband? 16 A. Yes. 17 Q. And how was he doing? 18 A. He was back in that room where he had 19 the preparation given to him and he was -- he was 20 resting. 21 Q. He was resting? 22 A. Yes. 23 Q. How long were you in the hospital then 24 after kind of being reunited with him there before</p>

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<p style="text-align: right;">Page 49</p> <p>1 you left for the evening?</p> <p>2 A. I don't know.</p> <p>3 Q. Did you talk with any other doctors that</p> <p>4 evening?</p> <p>5 A. No.</p> <p>6 Q. What was it that made you decide to</p> <p>7 leave the hospital?</p> <p>8 A. I was really tired. It was cold. But I</p> <p>9 saw that he was going to sleep. And I'm not sure</p> <p>10 who came to get me, but they suggested that I just</p> <p>11 can go now and -- and get some rest.</p> <p>12 Q. Who -- who had suggested that?</p> <p>13 A. I believe it might have been my grandson</p> <p>14 but I'm not 100 percent sure.</p> <p>15 Q. You felt comfortable leaving your</p> <p>16 husband at that point?</p> <p>17 A. Yes.</p> <p>18 Q. And did he -- he was resting, like you</p> <p>19 said?</p> <p>20 A. Yes.</p> <p>21 Q. You had described earlier that he</p> <p>22 appeared pale after he had first discovered this</p> <p>23 bleeding. Did -- did he still appear pale when</p> <p>24 you left him?</p>	<p style="text-align: right;">Page 51</p> <p>1 A. He said that there was a possibility --</p> <p>2 I'm not -- not exact words but there was a</p> <p>3 possibility that he would not be released from the</p> <p>4 hospital because his blood count was very low. I</p> <p>5 have copies of those texts.</p> <p>6 Q. Do you have them with you?</p> <p>7 A. No.</p> <p>8 Q. Where are those copies, at home?</p> <p>9 A. My attorney has some, Alisa.</p> <p>10 MR. STEPANIAN: I'd ask that</p> <p>11 those be produced. I don't know that I've seen</p> <p>12 those.</p> <p>13 MR. BEASLEY: Sure.</p> <p>14 BY MR. STEPANIAN:</p> <p>15 Q. Were you -- were you already awake when</p> <p>16 your husband had texted you?</p> <p>17 A. I don't remember.</p> <p>18 Q. What was your -- what was your response</p> <p>19 to the text?</p> <p>20 A. I wasn't surprised.</p> <p>21 Q. Did you text him back?</p> <p>22 A. I don't know. I don't think so.</p> <p>23 Q. You ultimately went to the hospital?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 50</p> <p>1 A. I don't recall.</p> <p>2 Q. Just so that I -- I understand. You --</p> <p>3 you don't recall any other discussions with any</p> <p>4 other Hershey Medical Center staff between the</p> <p>5 time this person came out and told you what --</p> <p>6 what they found in terms of the colonoscopy and</p> <p>7 endoscopy and when you left the hospital that</p> <p>8 evening; is that right?</p> <p>9 A. Yes.</p> <p>10 Q. Did you -- did you report to your family</p> <p>11 what -- what they found at the hospital?</p> <p>12 A. Yes, I would believe so.</p> <p>13 Q. To -- to Justin and Justin Phillip?</p> <p>14 A. Yes.</p> <p>15 Q. So what -- what happened next?</p> <p>16 You went back to Dr. J's home?</p> <p>17 A. Yes.</p> <p>18 Q. What did -- what did you do then?</p> <p>19 A. I went to sleep.</p> <p>20 Q. You came back to Hershey Medical Center</p> <p>21 the next day?</p> <p>22 A. Early that morning my husband texted</p> <p>23 me.</p> <p>24 Q. What did he text you?</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Do you recall what time you arrived at</p> <p>2 the hospital? This would be on December 3rd.</p> <p>3 A. When he texted me, I think I -- I don't</p> <p>4 remember but somehow we did communicate some more.</p> <p>5 Whether I called him or not, I don't remember. I</p> <p>6 don't recall seeing any texting from me, although</p> <p>7 there might be. But I said that I would check</p> <p>8 with the airline and let them know what was</p> <p>9 occurring and see what would happen for us. I did</p> <p>10 that. The airline said that if we didn't catch</p> <p>11 that flight, we need to get new tickets, which was</p> <p>12 fine. Dr. J overheard me and she said not to</p> <p>13 worry about any of that, that that would be taken</p> <p>14 care of by her if we had to get new tickets.</p> <p>15 Shortly after he texted, he texted again and he</p> <p>16 said they re-checked or something like that, my</p> <p>17 blood count and it's up and we're good to go.</p> <p>18 Q. Okay. So, you were -- after this -- you</p> <p>19 get this first text, you were kind of working on</p> <p>20 your end to try and figure out what would happen</p> <p>21 if you didn't make your flight, right?</p> <p>22 A. Yes.</p> <p>23 Q. Do you remember what time your flight</p> <p>24 was that day?</p>

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<p style="text-align: right;">Page 53</p> <p>1 A. No. It was around approximately -- I</p> <p>2 don't remember the exact time.</p> <p>3 Q. Were you were flying out of</p> <p>4 Harrisburg?</p> <p>5 A. Yes.</p> <p>6 Q. According to the records I've seen, it</p> <p>7 looked like that flight was leaving Harrisburg at</p> <p>8 2:27 p.m., mid -- mid afternoon. Is that -- is</p> <p>9 that consistent with your memory that it was --</p> <p>10 A. It was in the afternoon. It wasn't</p> <p>11 early.</p> <p>12 Q. So, you were -- you were at Dr. J's</p> <p>13 house working on your end to try and figure out</p> <p>14 what the implications were if you missed the</p> <p>15 flight, right?</p> <p>16 A. Yes.</p> <p>17 Q. And the airline told you you would have</p> <p>18 to get a new ticket if you missed the flight?</p> <p>19 A. Yes.</p> <p>20 Q. What were -- what did that mean in terms</p> <p>21 of would you -- would you have to pay for a whole</p> <p>22 new ticket?</p> <p>23 A. Yes.</p> <p>24 Q. Or -- or was it just like a change fee,</p>	<p style="text-align: right;">Page 55</p> <p>1 you willing -- was that something you were willing</p> <p>2 to accept?</p> <p>3 A. I wasn't even thinking about that,</p> <p>4 really. We would have worked it out some way.</p> <p>5 Q. But then it all -- it all became moot</p> <p>6 because while you were still at her home you got</p> <p>7 another text from your husband that said his blood</p> <p>8 counts are better and he's good to go?</p> <p>9 A. Yes.</p> <p>10 Q. So, what did you do after that text?</p> <p>11 A. I went with the plan that we had. It</p> <p>12 was a plan to call my grandson's uncle who would</p> <p>13 take us to the airport.</p> <p>14 Q. You're killing me now. So, who is</p> <p>15 the -- who is -- your grandson. So this is</p> <p>16 Justin --</p> <p>17 A. Justin --</p> <p>18 Q. -- Phillip's uncle.</p> <p>19 A. -- Uncle Phillip. We're a close family.</p> <p>20 Q. I can tell. At least there's only like</p> <p>21 three or four names, though, that I have to</p> <p>22 remember. So, this is Phillip. What is -- what</p> <p>23 is his last name?</p> <p>24 A. Cappiccio, C A P P I C C I O.</p>
<p style="text-align: right;">Page 54</p> <p>1 you would just have to change the reservation, if</p> <p>2 you know?</p> <p>3 A. Airlines aren't very cooperative, so.</p> <p>4 Q. They're not.</p> <p>5 A. No.</p> <p>6 Q. Right.</p> <p>7 A. From what I understood, I would just</p> <p>8 have to get new tickets.</p> <p>9 Q. And Dr. J, she overhears this and she</p> <p>10 told you don't worry about it, she'll cover it?</p> <p>11 A. That's right.</p> <p>12 Q. Why -- why would she cover it; did you</p> <p>13 know, just kind of generosity thing?</p> <p>14 A. She's a saint.</p> <p>15 Q. Yes.</p> <p>16 A. She's just a very generous person. I</p> <p>17 mean, she -- she gave us her home.</p> <p>18 Q. Sure.</p> <p>19 A. That's Dr. J. Although there was really</p> <p>20 no need for her to do that but that's what she</p> <p>21 thinks.</p> <p>22 Q. How did you feel about her saying that,</p> <p>23 that she's -- she -- she would go ahead and pay</p> <p>24 for these -- these new tickets? Did you -- were</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. So, the plan was for Mr. Cappiccio to</p> <p>2 take you and your husband to the airport?</p> <p>3 A. Correct, yes.</p> <p>4 Q. So, you called Mr. Cappiccio?</p> <p>5 A. Yes.</p> <p>6 Q. So what happened then? I mean, your</p> <p>7 husband is at the hospital, you're at Dr. J's.</p> <p>8 A. He's a pastor as well.</p> <p>9 Q. Mr. Cappiccio?</p> <p>10 A. Yes. He came and picked me up and our</p> <p>11 luggage and took me to the hospital to pick up my</p> <p>12 husband.</p> <p>13 Q. Where was your husband when you arrived</p> <p>14 at the hospital to pick him up?</p> <p>15 A. He was in that room that he had -- I had</p> <p>16 left him in.</p> <p>17 Q. So what happened after you got to the</p> <p>18 hospital?</p> <p>19 A. I got to the hospital and he was being</p> <p>20 prepared to leave.</p> <p>21 Q. What does that mean?</p> <p>22 A. There was someone in the room, a nurse,</p> <p>23 I believe. She was putting together his discharge</p> <p>24 package and giving us final instructions.</p>

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<p style="text-align: right;">Page 57</p> <p>1 Q. And then what happened?</p> <p>2 A. I washed his hair and we left.</p> <p>3 Q. How did you wash his hair?</p> <p>4 A. In a -- in a little tiny sink.</p> <p>5 Q. How long were you at the hospital before</p> <p>6 you left with him?</p> <p>7 A. I'm not sure.</p> <p>8 Q. Was it longer than an hour?</p> <p>9 A. I don't know.</p> <p>10 Q. Where was Mr. Cappiccio?</p> <p>11 A. He was there just out -- there was a</p> <p>12 little waiting -- not even -- there was a little</p> <p>13 area before you entered the room itself. He was</p> <p>14 in that doorway waiting for us. I believe he was</p> <p>15 giving us a little privacy.</p> <p>16 Q. Did you -- did you talk to the nurse who</p> <p>17 was --</p> <p>18 A. Yes.</p> <p>19 Q. Tell me what you remember about that</p> <p>20 discussion?</p> <p>21 A. She told me that as soon as we got back</p> <p>22 home that I was to contact our doctors and</p> <p>23 followup with them and let them know what had</p> <p>24 happened.</p>	<p style="text-align: right;">Page 59</p> <p>1 it just was something that was out there.</p> <p>2 Q. It was out there because the two of you,</p> <p>3 either you or your husband had told staff that</p> <p>4 were caring for him, you guys had a flight on</p> <p>5 December 3rd, the next day?</p> <p>6 A. Yes.</p> <p>7 Q. It was out there because either you or</p> <p>8 your husband told the staff that you would like to</p> <p>9 make that flight?</p> <p>10 A. No.</p> <p>11 Q. You just -- you just told them that you</p> <p>12 had a flight?</p> <p>13 A. We just told them that we were from</p> <p>14 Florida and we were going to go home but this</p> <p>15 happened. That's it.</p> <p>16 Q. Did you -- by the way, do you remember</p> <p>17 the name of the nurse?</p> <p>18 A. No. I'm sorry.</p> <p>19 Q. Did -- did you talk with any -- any</p> <p>20 physicians that day, December 3rd?</p> <p>21 A. No.</p> <p>22 Q. Did you ask to talk with any of the</p> <p>23 physicians?</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 58</p> <p>1 Q. Do you remember anything else about</p> <p>2 talking with her?</p> <p>3 A. She said that he was -- she was -- she</p> <p>4 was -- she was putting in a prescription for him</p> <p>5 to take for the pain and that he was to no longer</p> <p>6 take any other type of pain medication, especially</p> <p>7 over-the-counter.</p> <p>8 Q. Anything else that you remember?</p> <p>9 A. She was happy that we were going to be</p> <p>10 able to -- to leave and make our flight.</p> <p>11 Q. Anything else?</p> <p>12 A. That's it.</p> <p>13 Q. So, this nurse knew that the two of you</p> <p>14 were trying to make a flight?</p> <p>15 A. Yes.</p> <p>16 Q. Had you told her that or -- or did she</p> <p>17 seem to already know that when you came into the</p> <p>18 room?</p> <p>19 A. I don't know. I don't remember. You</p> <p>20 know, everybody pretty much knew, can I just say</p> <p>21 that, you know, that we were from out of town.</p> <p>22 Q. Did everyone seem to know that you had a</p> <p>23 flight scheduled for that day, December 3rd?</p> <p>24 A. I don't know who knew and who didn't but</p>	<p style="text-align: right;">Page 60</p> <p>1 Q. Did Mr. Vargas at any point tell you</p> <p>2 about his discussions with hospital staff that</p> <p>3 morning, December 3rd, before you arrived?</p> <p>4 A. No.</p> <p>5 Q. Did you ever ask him?</p> <p>6 A. No.</p> <p>7 Q. Why not?</p> <p>8 A. I honestly don't know.</p> <p>9 Q. So, ultimately obviously you and your</p> <p>10 husband left the hospital and Mr. Cappiccio took</p> <p>11 you straight to the airport?</p> <p>12 A. No. Our flight -- our flight was</p> <p>13 delayed and they had notified us via cell phones.</p> <p>14 So we went to lunch.</p> <p>15 Q. Where did you -- where did you go to</p> <p>16 lunch?</p> <p>17 A. Goodness, I've just drawn a blank --</p> <p>18 Panera's.</p> <p>19 Q. In Hershey?</p> <p>20 A. Yes -- well, I don't know where it</p> <p>21 was.</p> <p>22 Q. Okay. You and your husband and Mr.</p> <p>23 Cappiccio went?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 61</p> <p>1 Q. Did anybody else go to lunch?</p> <p>2 A. No.</p> <p>3 Q. Did your husband eat?</p> <p>4 A. Yes.</p> <p>5 Q. It's going to seem like a weird question</p> <p>6 but what -- what did he have?</p> <p>7 A. I believe it was a soup.</p> <p>8 Q. Do you remember what kind?</p> <p>9 A. No.</p> <p>10 Q. What happened after lunch at Panera's?</p> <p>11 A. It's hard to remember. We realized the</p> <p>12 flight was still going to be delayed, and we</p> <p>13 didn't want to take up much more of -- of Phillip</p> <p>14 Cappiccio's time. So we just asked him to take us</p> <p>15 to the airport, and we just would wait there.</p> <p>16 Q. That's what happened?</p> <p>17 A. That's what happened.</p> <p>18 Q. How long was the flight delayed?</p> <p>19 A. Goodness, I don't remember. It was</p> <p>20 twice delayed. And while we were there it was</p> <p>21 again delayed.</p> <p>22 Q. So, if you were supposed to leave around</p> <p>23 mid afternoon Harrisburg, did you ultimately</p> <p>24 leave -- was it after dinner time?</p>	<p style="text-align: right;">Page 63</p> <p>1 Q. Do you -- do you know whether your --</p> <p>2 your husband had used the bathroom between the</p> <p>3 time after you left the hospital and you got on</p> <p>4 the plane in Harrisburg?</p> <p>5 A. No, I don't know.</p> <p>6 Q. He never reported back to you, though,</p> <p>7 that he had another episode of bleeding?</p> <p>8 A. No.</p> <p>9 Q. So, the two of you are waiting at the</p> <p>10 airport in Harrisburg. He's doing okay?</p> <p>11 A. Yes.</p> <p>12 Q. Seems to be in good condition?</p> <p>13 A. Yes.</p> <p>14 Q. You get on that plane in Harrisburg.</p> <p>15 And what was it, like one of those little</p> <p>16 propeller --</p> <p>17 A. It was a smaller plane.</p> <p>18 Q. Right. You fly to Philadelphia?</p> <p>19 A. Yes.</p> <p>20 Q. And it's in Philadelphia then you get on</p> <p>21 a plane and you're flying to where?</p> <p>22 A. To Jacksonville.</p> <p>23 Q. How is your husband during the flight to</p> <p>24 Philadelphia?</p>
<p style="text-align: right;">Page 62</p> <p>1 A. I -- I don't remember.</p> <p>2 Q. Did you end up eating at the airport?</p> <p>3 A. No.</p> <p>4 Q. Tell me about how your husband was doing</p> <p>5 while you were at lunch and then later that</p> <p>6 afternoon waiting at the airport?</p> <p>7 A. He looked okay.</p> <p>8 Q. Was he weak at all?</p> <p>9 A. Not that I could see. He -- he looked</p> <p>10 like he had been, you know, through something but</p> <p>11 I wasn't concerned.</p> <p>12 Q. Did you understand that -- that after</p> <p>13 your husband came to the Hershey Medical Center he</p> <p>14 didn't have any other bleeding episodes?</p> <p>15 A. I'm sorry. Repeat that.</p> <p>16 Q. After your husband came to the Hershey</p> <p>17 Medical Center, he didn't have any bleeding</p> <p>18 episodes while he was in the hospital. Did you</p> <p>19 understand that?</p> <p>20 A. Other than the colonoscopy, no.</p> <p>21 Q. Okay. Did -- did he have any -- any</p> <p>22 bleeding after he left the hospital, obviously</p> <p>23 before you got on the flight?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 64</p> <p>1 A. He was okay.</p> <p>2 Q. When you got to Philadelphia, did you</p> <p>3 have to wait in the airport there?</p> <p>4 A. Yes.</p> <p>5 Q. About for how long?</p> <p>6 A. I don't know. It was -- he was in a</p> <p>7 wheelchair because he -- I figured it would be</p> <p>8 best. They didn't really check to see -- he was</p> <p>9 in a wheelchair. So thank God we were because the</p> <p>10 place was mobbed and there was no seats, so. But</p> <p>11 it was a while we waited.</p> <p>12 Q. Did you have to go from one terminal to</p> <p>13 a different terminal in Philly?</p> <p>14 A. Yes.</p> <p>15 Q. And did your husband go in a</p> <p>16 wheelchair?</p> <p>17 A. Yes.</p> <p>18 Q. By the way, when you were on the phone</p> <p>19 with the airlines on the morning of December 3rd</p> <p>20 trying to find out what would happen if you missed</p> <p>21 your flight, did you tell the person you're</p> <p>22 talking to at the airline that your husband had</p> <p>23 just had this bleeding episode?</p> <p>24 A. No.</p>

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<p style="text-align: right;">Page 65</p> <p>1 Q. Did you when you were on the phone with</p> <p>2 the airline ask them, the airline, whether there</p> <p>3 were any concerns about your husband getting on a</p> <p>4 plane in view of the fact that he had just had</p> <p>5 this bleeding episode?</p> <p>6 A. No.</p> <p>7 Q. Did you ever -- not just limiting it to</p> <p>8 that phone conversation that you had with the</p> <p>9 airline in the morning of December 3rd, did you</p> <p>10 ever ask anyone, for example, while you were</p> <p>11 waiting at the airport whether it was okay for</p> <p>12 your husband to fly in view of this bleeding that</p> <p>13 he had just had?</p> <p>14 A. No.</p> <p>15 Q. Was there a reason why you didn't ask</p> <p>16 that?</p> <p>17 A. I simply didn't think there was any --</p> <p>18 going to be any problem with it.</p> <p>19 Q. And, similarly, you know, to your</p> <p>20 knowledge, your husband didn't ask anybody at the</p> <p>21 airport --</p> <p>22 A. No.</p> <p>23 Q. -- those questions?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 67</p> <p>1 Q. You did that?</p> <p>2 A. Yes.</p> <p>3 Q. So then tell -- tell me what happened</p> <p>4 after -- after you boarded the plane?</p> <p>5 A. We -- he sat by the window. I believe</p> <p>6 there were just two seats. We were up in the air</p> <p>7 and there was turbulence. And I looked over at</p> <p>8 him to make sure he was okay. And I saw he was</p> <p>9 getting uncomfortable by him -- just the way he</p> <p>10 was moving. And I asked him, honey, are you all</p> <p>11 right. And he didn't answer. And I must have</p> <p>12 asked him a few times. But he had this look that</p> <p>13 he just was not there. Something had happened.</p> <p>14 And I said, do you have to go to the bathroom.</p> <p>15 And he again didn't respond. So I stood up out of</p> <p>16 my seat and tried to -- to ask him, to -- to touch</p> <p>17 him and ask him what was wrong. And I remember</p> <p>18 having to hold onto the seats because it was</p> <p>19 turbulent.</p> <p>20 He just never talked to me again.</p> <p>21 Finally I ran for the attendant, who was right</p> <p>22 behind us pretty much, I believe two or three</p> <p>23 rows. And I said, I can't -- something is wrong.</p> <p>24 My husband doesn't talk and he's -- I can't get</p>
<p style="text-align: right;">Page 66</p> <p>1 Q. So, you and your husband then get on the</p> <p>2 plane to head to Jacksonville, right?</p> <p>3 A. Yes.</p> <p>4 Q. Where -- where were you seated on the</p> <p>5 plane?</p> <p>6 A. Towards the end, the back of the</p> <p>7 plane.</p> <p>8 Q. Did -- did the two of you check</p> <p>9 luggage?</p> <p>10 A. Yes.</p> <p>11 Q. Did you have any carry-on luggage?</p> <p>12 A. Yes.</p> <p>13 Q. Who handled the carry-on luggage?</p> <p>14 A. I did.</p> <p>15 Q. What kind of carry-on did you -- did you</p> <p>16 have?</p> <p>17 A. Two small rolling -- rolling luggage</p> <p>18 pieces.</p> <p>19 Q. Did your -- did you and your husband</p> <p>20 board the plane early? A lot of times they say if</p> <p>21 you require extra time and often people in</p> <p>22 wheelchairs, they -- they let them board the plane</p> <p>23 first?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 68</p> <p>1 him up. I think he has to go to the bathroom.</p> <p>2 And I stayed in the -- in that -- because the</p> <p>3 plane was moving and he went over to my husband</p> <p>4 and it took him a few minutes to -- I don't know</p> <p>5 what he said. I didn't hear. But somehow my</p> <p>6 husband got up. He got up and he started to walk</p> <p>7 towards the back where the bathroom was. But I</p> <p>8 saw that he was leaving a trail of blood, a lot of</p> <p>9 blood, a lot of blood.</p> <p>10 And he finally went into the -- to the</p> <p>11 bathroom area and just about collapsed on the</p> <p>12 commode with the door opened and -- with his head</p> <p>13 down. The attendant didn't know what to do. He</p> <p>14 was not really much help. He was disgusted with</p> <p>15 what was going on on the floor. There was a lot</p> <p>16 of things there. It was actually -- it wasn't</p> <p>17 only blood. It was pieces of my husband, pieces.</p> <p>18 And I kept calling his name saying, honey, honey,</p> <p>19 look up, look at me.</p> <p>20 And then the call -- I started screaming</p> <p>21 if there's anybody that could help us. And they</p> <p>22 got two people. And they pulled out this -- this</p> <p>23 backpack. And these two people, one was a</p> <p>24 pediatrician, I remember, and one was an ER nurse.</p>

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<p style="text-align: right;">Page 69</p> <p>1 And they were looking through that bag. And that</p> <p>2 bag was a mess. It had the hoses and syringes and</p> <p>3 who knows what else was in there. But they were</p> <p>4 looking to see if they could put an IV in him</p> <p>5 because they checked his pressure again and they</p> <p>6 said his pressure was dropping.</p> <p>7 Q. I know it's hard to talk about, ma'am.</p> <p>8 And I ask you these questions because I have to.</p> <p>9 A. I don't mind telling you what</p> <p>10 happened.</p> <p>11 Q. Just take your time. And if you need to</p> <p>12 take a break, certainly at any point we can do</p> <p>13 that.</p> <p>14 A. Can I have some of those tissues,</p> <p>15 please. Thank you.</p> <p>16 Q. Do you -- do you want to take a</p> <p>17 second?</p> <p>18 A. Okay. All right.</p> <p>19 Q. Are you okay to continue?</p> <p>20 A. Yes.</p> <p>21 Q. Do you remember how long it was into the</p> <p>22 flight that you looked over at your husband and</p> <p>23 you started to have some concern?</p> <p>24 A. It wasn't long after.</p>	<p style="text-align: right;">Page 71</p> <p>1 A. An eternity.</p> <p>2 Q. It seemed, I'm sure.</p> <p>3 A. An eternity. They were trying to figure</p> <p>4 out if -- if the plane really needed to be landed,</p> <p>5 how bad he was. And of course all the time I'm</p> <p>6 crying and screaming. We need to get this plane</p> <p>7 down. He's got to get -- he's got to get to a</p> <p>8 hospital. And there was talk between the</p> <p>9 attendant and the pilot for a long time. And</p> <p>10 finally they decided to land the plane. And that</p> <p>11 was a long time.</p> <p>12 Q. Is it -- I'm sure in that situation any</p> <p>13 time seems like a long time. Is it fair to say</p> <p>14 that it's -- you just can't tell us with any</p> <p>15 certainty how long it was?</p> <p>16 A. No, no, I really can't.</p> <p>17 Q. If we -- if we wanted to know about the</p> <p>18 timing of how long things took, probably the best</p> <p>19 source of that would be the airline records?</p> <p>20 A. Yes, yes.</p> <p>21 Q. I hate to have to ask you these</p> <p>22 questions. But the blood that you saw from your</p> <p>23 husband, do you recall the color of it? In other</p> <p>24 words, was it -- was it bright red, like what you</p>
<p style="text-align: right;">Page 70</p> <p>1 Q. Was it -- was it a half hour?</p> <p>2 A. I don't know. I don't know, honestly.</p> <p>3 Q. Sure. It's hard to judge time in that</p> <p>4 kind of a situation.</p> <p>5 A. Yes.</p> <p>6 Q. And I'm going to ask you some -- some</p> <p>7 time questions.</p> <p>8 A. Okay.</p> <p>9 Q. And I just ask if you -- do your best.</p> <p>10 And if you -- if you don't know, just tell me you</p> <p>11 don't know. How long was it that your husband was</p> <p>12 in -- in the bathroom there?</p> <p>13 A. A long time. He was -- like I said,</p> <p>14 they were trying to find the vein. They -- they</p> <p>15 kept putting those -- that needle in his -- his</p> <p>16 vein -- there was no veins. His veins were dry.</p> <p>17 They were -- I could see myself that his veins was</p> <p>18 just so thin and shriveled almost. Now looking</p> <p>19 back, I see that he had no blood in his body,</p> <p>20 really. Whatever was let go there was it. So</p> <p>21 naturally there was -- you need blood in a vein.</p> <p>22 Q. How -- how long was it after your</p> <p>23 husband was taken to -- to the bathroom back there</p> <p>24 until the plane was on the ground?</p>	<p style="text-align: right;">Page 72</p> <p>1 had seen before?</p> <p>2 A. There was -- I believe so.</p> <p>3 Q. It was bright red?</p> <p>4 A. There was -- there was so much in the</p> <p>5 blood that it was hard to determine what was blood</p> <p>6 and what wasn't.</p> <p>7 Q. Was -- when your husband was taken to</p> <p>8 the bathroom, was the door ever closed?</p> <p>9 A. No.</p> <p>10 Q. When -- when you were still sitting next</p> <p>11 to your husband before he had gotten up to use the</p> <p>12 bathroom, you said that he just wasn't responding</p> <p>13 to your questions. Were his eyes opened?</p> <p>14 A. Yes.</p> <p>15 Q. He was -- he was still supporting</p> <p>16 himself in the -- in the seat?</p> <p>17 A. His eyes were open but they were in a</p> <p>18 stare. Like he didn't see -- he didn't see me.</p> <p>19 He just was locked is the only word I could think</p> <p>20 about. He was locked in a stare. And I kept</p> <p>21 trying to -- to make eye contact, to talk to</p> <p>22 him.</p> <p>23 Q. After you got up and were able to get</p> <p>24 the flight attendant to come over and your husband</p>

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<p style="text-align: right;">Page 73</p> <p>1 got up, did the flight attendant have to help him</p> <p>2 get up?</p> <p>3 A. Yes.</p> <p>4 Q. Then he helped him to the bathroom, is</p> <p>5 what you said?</p> <p>6 A. I saw my husband stumbling towards the</p> <p>7 back. He was -- because the plane was still</p> <p>8 rocking. And I don't even know if he was aware</p> <p>9 that he was moving from -- from the expression on</p> <p>10 his face. I don't even know how he moved.</p> <p>11 Q. The plane obviously landed. What</p> <p>12 happened after the plane landed?</p> <p>13 A. After the plane landed, the back door</p> <p>14 opened and the paramedics came up on the plane.</p> <p>15 And the next thing I knew I was kneeling on one of</p> <p>16 the seats by him because he was in the aisle</p> <p>17 laying -- they laid him in the aisle. And they</p> <p>18 opened up his shirt with scissors or something and</p> <p>19 began to put the paddles on him. And then I saw</p> <p>20 his face. His face was -- his head -- his hair</p> <p>21 was towards me. And I just saw his face upside</p> <p>22 down. And I think I saw him blow out his last</p> <p>23 breath. I don't know. But I know that the shock</p> <p>24 paddles didn't do anything except move him. I</p>	<p style="text-align: right;">Page 75</p> <p>1 So they threw me in there and started feeding me</p> <p>2 nitro until the pain stopped.</p> <p>3 Q. You were okay ultimately?</p> <p>4 A. Ultimately, yes.</p> <p>5 Q. Medically?</p> <p>6 A. Yes.</p> <p>7 Q. What -- what happened then? Just tell</p> <p>8 me briefly what happened in the hospital?</p> <p>9 A. I found myself being wheeled in. I</p> <p>10 passed these curtains. And they said your husband</p> <p>11 is in there. They're trying to do what they can</p> <p>12 for him. And I started to cry out to him and tell</p> <p>13 him I was there because they didn't bring me near</p> <p>14 him. They put me somewhere else. It's like</p> <p>15 another curtain over. But I kept calling out.</p> <p>16 They didn't like that but that's what I did.</p> <p>17 Honey, I'm -- I'm here. Open your eyes and --</p> <p>18 Q. Did you -- your husband unfortunately</p> <p>19 couldn't be resuscitated there. Did you -- did</p> <p>20 you talk with the hospital staff about why it had</p> <p>21 happened?</p> <p>22 A. All -- all I remember is they came -- my</p> <p>23 bars were up.</p> <p>24 Q. You were in a hospital bed?</p>
<p style="text-align: right;">Page 74</p> <p>1 kept calling him. And I started screaming for</p> <p>2 people to come and help me pray, to come help me</p> <p>3 pray -- pray for him here --</p> <p>4 Q. They took --</p> <p>5 A. And they took him off the plane. And</p> <p>6 the next thing I knew they were coming to get me</p> <p>7 and my carry-ons and -- and escorted me out the</p> <p>8 same doors. And there was a really treacherous</p> <p>9 staircase. I don't know even know -- it was metal</p> <p>10 and shaking. And I got down that and he was</p> <p>11 obviously put in an ambulance.</p> <p>12 Q. You went to the hospital that he was</p> <p>13 taken to?</p> <p>14 A. Yes.</p> <p>15 Q. I think I had read that you went in a</p> <p>16 separate ambulance?</p> <p>17 A. Yes. I started -- I started feeling my</p> <p>18 chest hurting. And I told them I -- I have two</p> <p>19 stents in my heart. And I started feeling that</p> <p>20 sensation, so I just asked them for a little</p> <p>21 nitro. I find it funny now because I'm like what</p> <p>22 are you kidding. Of course everything --</p> <p>23 everybody jumped up and said what, you know, you</p> <p>24 need what. And they said get another ambulance.</p>	<p style="text-align: right;">Page 76</p> <p>1 A. I was in a hospital bed, yes.</p> <p>2 My bars were up. And I was taken to another room,</p> <p>3 another area with a curtain. And so I don't know</p> <p>4 how long that was either. But someone came by my</p> <p>5 side there and said -- I thought she was going to</p> <p>6 tell me that -- you know, she -- she started off,</p> <p>7 like he lost a lot of blood but then at the end</p> <p>8 she said, well, we couldn't bring him back. I</p> <p>9 thought she was going to say but, you know, we got</p> <p>10 him or something. But that was like not what I</p> <p>11 heard. I was looking for that. And she said</p> <p>12 we -- we couldn't -- we couldn't do anything for</p> <p>13 him. He's gone. And at that moment my son -- one</p> <p>14 of my sons was on the phone with me and he heard</p> <p>15 her.</p> <p>16 Q. Which -- which son was that?</p> <p>17 A. That was Adam.</p> <p>18 Q. At any point while you were there at the</p> <p>19 hospital -- how long were you at the hospital, by</p> <p>20 the way?</p> <p>21 A. I was there until the next day.</p> <p>22 Q. Were you admitted yourself to the</p> <p>23 hospital?</p> <p>24 A. Yes, yes.</p>

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<p style="text-align: right;">Page 77</p> <p>1 Q. At any point during your hospitalization</p> <p>2 did you talk with any of the hospital staff and</p> <p>3 ask basically what had happened?</p> <p>4 A. No. They simply told me that they were</p> <p>5 waiting for the medical examiner. I did not get</p> <p>6 to the body at all.</p> <p>7 Q. I'm sorry?</p> <p>8 A. I did not get to his body at all during</p> <p>9 that time. So, they said they were waiting for</p> <p>10 the medical examiner and that I probably did not</p> <p>11 want to see him because when they were working on</p> <p>12 him, there was a lot of things put on him, I</p> <p>13 guess, and it might not be a good idea to see him</p> <p>14 until they could remove those things on him.</p> <p>15 But I never got to see him.</p> <p>16 Q. Aside from being told that he had lost a</p> <p>17 lot of blood, did anybody at the hospital tell you</p> <p>18 why he had lost blood?</p> <p>19 A. No.</p> <p>20 Q. Did -- this is -- do you recall the name</p> <p>21 of the hospital?</p> <p>22 A. It was North Carolina, the Carolinas.</p> <p>23 Q. Carolinas Medical Center?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 79</p> <p>1 church, he drove to come and find and get -- and</p> <p>2 get me along with sons that came immediately.</p> <p>3 That person asked me, I believe, if I would want</p> <p>4 an autopsy and he arranged everything.</p> <p>5 Q. Who was that?</p> <p>6 A. This was Gerry Ray.</p> <p>7 Q. He's with your -- your church?</p> <p>8 A. Yes, the administrator.</p> <p>9 Q. I understand that -- I don't know to</p> <p>10 what extent you're aware of this or not. But I</p> <p>11 understand that your husband's autopsy was done by</p> <p>12 a pathologist in South Carolina. Were you aware</p> <p>13 of that?</p> <p>14 A. No.</p> <p>15 Q. Do you have any knowledge or</p> <p>16 understanding why an autopsy was done by a South</p> <p>17 Carolina person as opposed to there at the</p> <p>18 Carolinas Medical Center?</p> <p>19 A. No.</p> <p>20 Q. Mr. Ray might have some information</p> <p>21 about that?</p> <p>22 A. He might.</p> <p>23 Q. Did you ever speak with the pathologist</p> <p>24 who did the autopsy?</p>
<p style="text-align: right;">Page 78</p> <p>1 Q. Did anyone at the Carolinas Medical</p> <p>2 Center tell you anything about -- let me rephrase</p> <p>3 it. Did anyone at Carolinas Medical Center ever</p> <p>4 comment on the fact that your husband had just</p> <p>5 been discharged from the Hershey Medical Center</p> <p>6 that day?</p> <p>7 A. Not that I recall.</p> <p>8 Q. Did anybody at the Carolinas Medical</p> <p>9 Center tell you or suggest to you that your</p> <p>10 husband shouldn't have been discharged from the</p> <p>11 hospital that day?</p> <p>12 A. No.</p> <p>13 Q. I know that -- and, again, I know that</p> <p>14 this is hard to talk about, and I wouldn't ask you</p> <p>15 these things certainly if I didn't have to. But I</p> <p>16 know that there was an autopsy done after your</p> <p>17 husband passed.</p> <p>18 A. Yes.</p> <p>19 Q. Did -- did you ask that an autopsy be</p> <p>20 done?</p> <p>21 A. No.</p> <p>22 Q. They, I presume, asked you if it was</p> <p>23 okay to do an autopsy?</p> <p>24 A. I -- I -- we had our associate from the</p>	<p style="text-align: right;">Page 80</p> <p>1 A. No.</p> <p>2 Q. Did you ever -- and aside from anything</p> <p>3 that you discussed with counsel at any point, I</p> <p>4 don't want to know what you discussed with</p> <p>5 counsel, but outside of those discussions, did you</p> <p>6 ever learn what the findings were of the</p> <p>7 autopsy?</p> <p>8 A. Yes.</p> <p>9 Q. What did you -- what did you learn?</p> <p>10 A. I learned that it was not his stomach</p> <p>11 that was the cause of the bleeding. I learned</p> <p>12 that it was the colon.</p> <p>13 Q. Where did you learn that information?</p> <p>14 A. I learned -- I believe the papers --</p> <p>15 Gerry Ray was in touch with this pathologist. So</p> <p>16 I believe it must have been him. I did not speak</p> <p>17 to the pathologist. It must have been through</p> <p>18 Gerry.</p> <p>19 Q. And when you say that you learned the</p> <p>20 bleeding was from the colon not the stomach,</p> <p>21 you're referring to the bleeding that he had</p> <p>22 experienced on the plane?</p> <p>23 A. The bleeding in Hershey and the plane.</p> <p>24 Q. So, you were -- you were told that</p>

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<p style="text-align: right;">Page 81</p> <p>1 according to the autopsy, the bleeding that your</p> <p>2 husband experienced before coming to Hershey</p> <p>3 Medical Center came from the colon, not the</p> <p>4 stomach?</p> <p>5 A. That was what I believed -- that's what</p> <p>6 I believe after the reports that it wasn't the</p> <p>7 stomach at all.</p> <p>8 Q. And this information came to you from</p> <p>9 Mr. Ray?</p> <p>10 A. Yes. I believe that he's the only one</p> <p>11 that was talking to the pathologist.</p> <p>12 Q. Can you -- I'm going to shift gears.</p> <p>13 A. Can I take a break?</p> <p>14 Q. Yes.</p> <p>15 THE VIDEO TECHNICIAN: This</p> <p>16 completes DVD No. 1. The time is 12:35. We're</p> <p>17 now going off the record.</p> <p>18 (Whereupon a break was taken.)</p> <p>19 THE VIDEO TECHNICIAN: We're on</p> <p>20 the record. This is the beginning of DVD No. 2.</p> <p>21 The time is 12:45. You may begin the questioning.</p> <p>22 BY MR. STEPANIAN:</p> <p>23 Q. I just -- I just have a few more</p> <p>24 questions for you, ma'am, a few more minutes here</p>	<p style="text-align: right;">Page 83</p> <p>1 A. That never occurred.</p> <p>2 Q. Do you recall having a discussion with a</p> <p>3 physician in the evening of December 2 before you</p> <p>4 left where the physician told you that he</p> <p>5 couldn't -- he couldn't tell you what the risk was</p> <p>6 of repeat bleeding in getting on an airplane?</p> <p>7 A. Can you repeat the question.</p> <p>8 Q. Sure, sure. Do you remember a physician</p> <p>9 telling you in the evening of December 2nd that he</p> <p>10 didn't know what the risk was for repeat bleeding</p> <p>11 with someone traveling on an airplane?</p> <p>12 A. No, I was not told.</p> <p>13 Q. I want to understand how you're</p> <p>14 currently supporting yourself. Your -- are you</p> <p>15 still earning the 750 a week from Greater Love</p> <p>16 Ministries?</p> <p>17 A. No.</p> <p>18 Q. What are you -- what are you earning?</p> <p>19 A. Right now I have decided not to</p> <p>20 continue. So right now I have -- I am on Social</p> <p>21 Security.</p> <p>22 Q. What -- what is your is Social</p> <p>23 Security?</p> <p>24 A. My Social Security is \$1595.</p>
<p style="text-align: right;">Page 82</p> <p>1 and then we'll be done. I want to just make sure</p> <p>2 I'm clear about something. December 2nd, that was</p> <p>3 the day that your husband woke you up in the early</p> <p>4 morning and he had the blood in the toilet. Am I</p> <p>5 correct that so far as you understand, the</p> <p>6 bleeding that your husband experienced that</p> <p>7 morning was the first time he had experienced</p> <p>8 bleeding since 2008?</p> <p>9 A. Yes.</p> <p>10 Q. Was your husband the kind of person who</p> <p>11 would share medical information with you?</p> <p>12 A. Yes.</p> <p>13 Q. If he had something like rectal</p> <p>14 bleeding, which he had, would -- was he the kind</p> <p>15 of person who would be forthcoming with that with</p> <p>16 you?</p> <p>17 A. Yes, something like that, absolutely.</p> <p>18 Q. On December 2 before you left the</p> <p>19 hospital that evening, do you remember being told</p> <p>20 by a physician that your husband might have</p> <p>21 bleeding again?</p> <p>22 A. No.</p> <p>23 Q. Do you -- do you just not have a</p> <p>24 recollection or do you deny that that occurred?</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. A month?</p> <p>2 A. A month.</p> <p>3 Q. Why -- you've -- you've decided not to</p> <p>4 continue being a pastor?</p> <p>5 A. Yes.</p> <p>6 Q. Why?</p> <p>7 A. Over the last two and one-half years,</p> <p>8 especially now, I feel that I'm not doing the job</p> <p>9 that I needed to do because of emotional and</p> <p>10 distress. It's a lot to do.</p> <p>11 Q. What -- when you say because of</p> <p>12 emotional distress, what do you mean by that?</p> <p>13 A. I'm not able to concentrate. I don't</p> <p>14 sleep well any more. I believe that it's just</p> <p>15 part of the grieving, which conflicts with what I</p> <p>16 really needed to do.</p> <p>17 Q. Have you seen any kind of mental health</p> <p>18 person because of this emotional distress?</p> <p>19 A. I've -- I've seen a grief counselor.</p> <p>20 Q. Who is that?</p> <p>21 A. That was somebody through hospice. I'm</p> <p>22 not sure of her name right now.</p> <p>23 Q. What --</p> <p>24 A. I'm sorry. What?</p>

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<p style="text-align: right;">Page 85</p> <p>1 Q. I'm sorry. Go ahead. I interrupted 2 you. Go ahead. 3 A. Just -- I went to see her once just to 4 make sure that I wasn't -- I don't even know the 5 term but just to make sure that I -- I wasn't in 6 any danger to myself or to anything. And she 7 assured me that what I was going through was all 8 part of a normal, if you could say normal, 9 grieving. My faith has continued to uphold me and 10 uplift me. 11 Q. When did you see this grief counselor? 12 A. Probably about a year ago. I'm not 13 exactly sure. 14 Q. You said it was through hospice. 15 What -- what was the name of the hospice 16 provider? 17 A. I don't remember. 18 Q. How did you get in touch with this 19 hospice group? 20 A. I made a phone call. 21 Q. If I wanted to know or find out who this 22 grief counselor was that you saw, how would I go 23 about finding that out? 24 A. I'd go look back through what I have.</p>	<p style="text-align: right;">Page 87</p> <p>1 past two or three weeks that has led you to make 2 that decision? 3 A. No. 4 Q. Well, how -- how much have you been 5 earning from Greater Love Ministries up to the 6 past two or three weeks? 7 A. Up to the past two or three weeks. 8 I had -- my salary when he came on to help -- 9 Q. Justin, you're referring to Justin? 10 A. When my some came on to help was 11 transferred over to him in parts. So, my answer 12 would be recently maybe \$250 was my salary. 13 Q. Who makes that decision in terms of how 14 much you're paid and how much is transferred 15 over? 16 A. There's a board. 17 Q. Okay. Who is -- are you on the board? 18 A. No. 19 Q. Is Justin on that board? 20 A. Yes. 21 Q. Aside from the grief counselor that you 22 saw one time, did -- did you see any other mental 23 health professional about the emotional distress 24 that you have been experiencing?</p>
<p style="text-align: right;">Page 86</p> <p>1 Q. What -- what would you look through that 2 you have? What are you referring to? 3 A. She gave me a folder with -- it's put 4 together with different -- seven steps of grief 5 and there's a group, you know, there are groups 6 meeting, information. 7 Q. The folder included information about 8 grief support groups? 9 A. Correct. 10 Q. I would ask if you could, locate that 11 and I'd ask that that person be identified. Have 12 you ever gone to any of those support groups? 13 A. No. 14 Q. Why not? 15 A. Basically I have a very busy schedule 16 before. That's why I'm feeling that I need to 17 step away from this. 18 Q. Well, when did you choose to step away 19 from being -- 20 A. Recently. 21 Q. When? 22 A. Probably within the last two or three 23 weeks. 24 Q. Was there something that occurred in the</p>	<p style="text-align: right;">Page 88</p> <p>1 A. I've been speaking with my family 2 doctor. 3 Q. Who is that? 4 A. Dr. Farhat, F A R H A T. 5 Q. That was your husband's doctor as 6 well? 7 A. Correct, yes. 8 Q. What -- what have you told your family 9 doctor in terms of the distress you've been -- 10 you've experienced? 11 A. I would tell him that it's -- during 12 this time I also had a whole full knee 13 replacement, which was hard. 14 Q. Sure. 15 A. In addition to that, I broke a kneecap 16 on that same knee. So that kind of tells you I've 17 been through things going on. I would speak to my 18 doctor about those things in addition to the 19 grieving. He gave me something to help when I 20 needed to -- when I needed to just get a little 21 bit of the anxiety away from myself. And then 22 just recently I spoke to him. And I said I think 23 I need to talk to someone and he gave me a name. 24 Q. Whose -- whose name did he give you?</p>

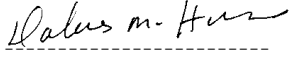
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<p style="text-align: right;">Page 89</p> <p>1 A. I don't recall. It's -- I have the card 2 at home. I haven't really contacted them and so I 3 will. 4 Q. How long ago did he give you that -- 5 that name? 6 A. A week ago. 7 Q. I would ask that that person -- 8 A. Sure. 9 Q. -- be identified as well. 10 A. I will. 11 Q. The medication that he gave you for your 12 anxiety, do you take that every day? 13 A. No. 14 Q. How often do you take it? 15 A. He gave that to me for the funeral 16 reluctantly. He's not the type to give you 17 anything but he gave me that for the funeral. And 18 not very often -- I had to take that today. 19 Q. You did? 20 A. Yes. 21 Q. Do -- do you remember the date of your 22 husband's funeral? 23 A. No. 24 Q. Was the funeral down in St. Augustine?</p>	<p style="text-align: right;">Page 91</p> <p>1 A. Yes. 2 Q. I bet that was a rough job at times? 3 A. Yes. 4 Q. What is your plan -- I know you said you 5 moved in with your son in January. By the way, 6 who -- who owns the property to which you pay 7 rent? 8 A. I am renting it from someone that put it 9 through an agency, so to speak, to rent it for 10 them. So I don't know the name. 11 Q. Greater Love Ministries doesn't own the 12 property? 13 A. No, no. 14 Q. What is your plan in terms of living 15 with your son? Is that just kind of -- for the 16 foreseeable future, that's what you're going to 17 do? 18 A. Temporarily. 19 Q. All right. Well, what is the plan after 20 that long term? 21 A. Well, he's -- they're getting ready 22 to -- to find a place, he and his wife, his 23 family. He's just staying with me because 24 that's -- it's working out for us.</p>
<p style="text-align: right;">Page 90</p> <p>1 A. Yes. 2 Q. Aside from the 1595 that you get a month 3 in Social Security, do you have any other sources 4 of income? 5 A. No. 6 Q. What -- what happens with respect to -- 7 your husband had a pension, right? 8 A. Right. 9 Q. Do you receive any part of that after he 10 passed away? 11 A. No. 12 Q. Those payments just stop? 13 A. Yes. 14 Q. What -- what was he receiving in terms 15 of a pension? 16 A. I'm not exactly but \$2500 a month maybe, 17 twenty-six. 18 Q. What kind of police officer was he in 19 New York? 20 A. He was a police sergeant. 21 Q. Okay. So he was like on the street, on 22 patrols and stuff? 23 A. Yes. 24 Q. In New York City?</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. But ultimately he'll move out with his 2 family? 3 A. Yes. 4 Q. And you don't foresee any problems 5 paying the monthly rent? 6 A. Oh, yes, I do. 7 Q. You do? 8 A. Uh-huh. 9 Q. How -- how are you going to deal with 10 that? 11 A. Hopefully God will bring me a roommate 12 somewhere, someone to help me and share the 13 place. 14 Q. Are there -- do you have a memory of any 15 discussions with Hershey Medical Center staff that 16 we haven't discussed here today? 17 A. No. 18 Q. Do you -- do you have any recollection 19 about your husband's hospitalization that we 20 haven't discussed here today? 21 A. No. 22 Q. Just one thing, kind of a housekeeping 23 thing. 24 MR. STEPANIAN: Mark that as J.</p>

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<p style="text-align: right;">Page 93</p> <p>1 Vargas 1. 2 (Document marked Exhibit J. 3 Vargas 1 for identification.) 4 BY MR. STEPANIAN: 5 Q. Ms. Vargas, the court reporter -- we 6 just marked as Exhibit 1 and she just handed you 7 the deposition notice, which is like the paper 8 that schedules us to be here today. It asks that 9 you bring with you to the deposition any 10 calendars, notes, diaries, journals or other 11 documents relevant to the incident in question. 12 And I know you told me about the text messages, 13 which -- which you're going to provide. And I've 14 asked for the cards of the grief counselor and the 15 person to whom you've been referred by your family 16 physician. 17 A. Yes. 18 Q. Do you have any -- aside from those 19 things, do you have any notes or journals in 20 particular that -- where you wrote down 21 information about your husband's treatment? 22 MR. BEASLEY: I'll just place an 23 objection. Other than what you've prepared for 24 purposes of this lawsuit.</p>	<p style="text-align: right;">Page 95</p> <p>1 A. Because I knew that I needed to remember 2 for this type of situation probably. 3 Q. So, you -- you -- I mean, in all candor, 4 I mean, you prepared it expecting that you might 5 be filing a lawsuit and you would want to 6 remember? 7 A. Not really, no. I just wanted -- I 8 don't mind writing down my feelings and my 9 prayers. So that was part of it. 10 Q. I'm going to ask that -- have you 11 provide that to -- to your lawyers? 12 A. No. 13 Q. I'm going to ask if you could produce 14 that. How -- how many pages is that? 15 A. It's -- it's a few pages. It's a book 16 with -- about this size. It's got to be like 17 eight. 18 Q. Eight pages? 19 A. Eight pages, somewhere. And it was 20 from -- from when we -- when we went to the baby's 21 dedication. It was the entire trip. 22 Q. Okay. So, it was something you had 23 started before your husband passed away? 24 A. No, no, no, shortly after.</p>
<p style="text-align: right;">Page 94</p> <p>1 THE WITNESS: I don't understand. 2 BY MR. STEPANIAN: 3 Q. Okay. 4 A. Other than what I've prepared? 5 Q. Well, let's -- let's take it this way. 6 Aside from information that you've prepared for 7 your attorneys, do you have any journals or notes 8 where you've written down information about your 9 husband's treatment? 10 A. Personally I journaled about the whole 11 thing. 12 Q. When -- when did you journal this 13 information or write this information? 14 A. I started to immediately after he passed 15 or shortly after he passed, and then I did not 16 finish that. 17 Q. Why -- why did you start -- 18 A. It was too hard. 19 Q. Why did you even start writing? 20 A. Why did I start writing it, I felt it 21 would help me remember things that I would 22 probably forget later. 23 Q. And why did you foresee it important to 24 remember these things?</p>	<p style="text-align: right;">Page 96</p> <p>1 Q. So, you started writing about events 2 that happened starting with your -- your great 3 granddaughter's dedication? 4 A. Right, yes. 5 Q. And you wrote those things after your 6 husband passed away to help you remember them 7 later? 8 A. If anybody wanted to read about it we -- 9 we -- my husband and I both wrote. 10 Q. Have you shown those -- those notes to 11 anyone? 12 A. No. 13 Q. In -- in addition to those notes, you 14 also prepared a written summary at the request of 15 your lawyers? 16 A. That was part of that, if they ever 17 wanted to see it. I don't know. 18 Q. But you never have given it to them? 19 A. No. 20 Q. Were you aware that someone from Hershey 21 Medical Center had called you or called for you 22 after your husband passed away? 23 A. I don't recall that. 24 Q. You weren't aware that this person</p>

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<p>Page 97</p> <p>1 called, someone from Hershey Medical Center called</p> <p>2 to speak with you to express their condolences for</p> <p>3 the passing of your husband?</p> <p>4 A. I don't recall that.</p> <p>5 MR. STEPANIAN: I don't have any</p> <p>6 other questions. Thank you, ma'am.</p> <p>7 THE VIDEO TECHNICIAN: This</p> <p>8 completes the videotaped deposition. The time is</p> <p>9 1:07. We're now going off the record.</p> <p>10 (Witness excused.)</p> <p>11 (Deposition concluded at 1:07</p> <p>12 p.m.)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>Page 99</p> <p>1 DEPOSITION ERRATA SHEET</p> <p>2 NO. J0604043</p> <p>3 JOANNA VARGAS</p> <p>4 - VS -</p> <p>5 PENN STATE HERSHEY</p> <p>6 MILTON S. HERSHEY MEDICAL CENTER</p> <p>7</p> <p>8 DECLARATION UNDER PENALTY OF PERJURY</p> <p>9 I declare under penalty of perjury that I have</p> <p>10 read the entire transcript of my Deposition taken</p> <p>11 in the captioned matter or the same has been read</p> <p>12 to me, and the same is true and accurate, save and</p> <p>13 except for changes and/or corrections, if any, as</p> <p>14 indicated by me on the DEPOSITION ERRATA SHEET</p> <p>15 hereof, with the understanding that I offer these</p> <p>16 changes as if still under oath.</p> <p>17</p> <p>18 Signed on the _____ day of</p> <p>19 _____, 20 --.</p> <p>20</p> <p>21</p> <p>22 _____</p> <p>23 JOANNA VARGAS</p> <p>24</p>
<p>Page 98</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 I hereby certify that the witness</p> <p>4 was duly sworn by me and that the deposition is a</p> <p>5 true record of the testimony given by the witness.</p> <p>6</p> <p>7</p> <p>8 </p> <p>9 _____</p> <p>10 Dolores M. Horne</p> <p>11 Dated: July 11, 2017</p> <p>12</p> <p>13</p> <p>14</p> <p>15 (The foregoing certification of this transcript</p> <p>16 does not apply to any reproduction of the same by</p> <p>17 any means, unless under the direct control and/or</p> <p>18 supervision of the certifying shorthand reporter.)</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>Page 100</p> <p>1 DEPOSITION ERRATA SHEET</p> <p>2 Page No. __ Line No. __ Change to: _____</p> <p>3 _____</p> <p>4 Reason for change: _____</p> <p>5 Page No. __ Line No. __ Change to: _____</p> <p>6 _____</p> <p>7 Reason for change: _____</p> <p>8 Page No. __ Line No. __ Change to: _____</p> <p>9 _____</p> <p>10 Reason for change: _____</p> <p>11 Page No. __ Line No. __ Change to: _____</p> <p>12 _____</p> <p>13 Reason for change: _____</p> <p>14 Page No. __ Line No. __ Change to: _____</p> <p>15 _____</p> <p>16 Reason for change: _____</p> <p>17 Page No. __ Line No. __ Change to: _____</p> <p>18 _____</p> <p>19 Reason for change: _____</p> <p>20 Page No. __ Line No. __ Change to: _____</p> <p>21 _____</p> <p>22 Reason for change: _____</p> <p>23 SIGNATURE: _____ DATE: _____</p> <p>24 JOANNA VARGAS</p>

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1 DEPOSITION ERRATA SHEET
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